



Little River Band of Ottawa Indians

2608 Government Drive

Manistee, MI 49660

(231) 723-8288

Resolution #16-1214-390

Authorizing the Government Employee Incentive Payment Plan of 2016

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 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 Ogema is authorized under Article V, Section 5 (a)(2) to oversee the administration and management of the Tribal government in accordance with the laws, resolutions, and motions adopted by the Tribal Council; 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 is authorized under Article IV, Section 7(i)(2) to manage the funds of the Tribe; and

WHEREAS, the Tribal Council has adopted by prior resolutions, a process to repair the Compensation Administration Program for Tribal Government; including adopting a Wage Grid and adopting recommendations concerning compensation practices as recommended by an outside consultant under contract for such purpose; and

WHEREAS, the Tribal Ogema and Tribal Council recognize the importance of rewarding the employees for their contributions and dedication to the Little River Band of Ottawa Indians, its government and citizens; and

WHEREAS the Tribal Ogema and Tribal Council recognize that a formalized Compensation Administration Program that is duly adopted by Leadership, implemented by policy, and carried out consistently is the most appropriate process to properly govern compensation and Employee Incentive Programs; and

WHEREAS the Tribal Ogema and Tribal Council have been advised by Human Resources that the Performance Evaluation Process is scheduled to be completed and fully implemented during fiscal year 2017, but that Employee Incentive Payments are not slated to be authorized until after the completion of the evaluation process in 2017; and

WHEREAS the Tribal Ogema and Tribal Council agree that it is appropriate to provide an incentive payment to employees of Little River Band of Ottawa Indians, during fiscal year 2016, during the pendency of a new evaluation system and process; and

WHEREAS, the Tribal Ogema and Tribal Council concur that adoption of the FY 2016 Employee Incentive Program is a one-time action, requiring authorization by Resolution, to provide an incentive to recognize the contributions of employees of the Little River Band Tribal Government.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves and authorizes the 2016 Incentive Payment to eligible individuals based on the following criteria as recommended by the Tribal Ogema:

1. Human Resources will create an employee eligibility list for a one time incentive payment based on the following factors:
 - Employees shall mean all regular full time and part time per the Tribe's personnel manual that are active employees as of December 2, 2016, and have not separated from employment.
 - Employees length of service shall be calculated utilizing year hired subtracted from 2016.
 - Employees shall receive an incentive payment as calculated in accordance with Attachment A; provided that no employee shall receive less than \$200 for their service in employment to Tribal Government.
2. Interns, temporary, and workforce development beneficiaries in the tribal payroll system as of the effective date shall receive \$ 50.00. The employee eligibility list shall be verified by Payroll/Accounting, prior to authorizing payment to ensure accuracy.
3. All payments made shall be subject to all appropriate deductions to include federal, state, and local taxes, garnishments, 401(K) deductions, and any other withholding that is currently occurring with the processing of normal paychecks.
4. Individuals that are on approved family medical leave, leave of absence, or other approved unpaid leave and not receiving a payroll check on the incentive payment

date will receive the payment upon return from the unpaid leave as an addition to the first check received upon return. Employees that fail to return to regular employment status from leave will be ineligible to receive the incentive payment.


5. Individuals that work for any enterprise (Little River Casino Resort, Muschigon Construction, and Little River Trading Post), members appointed to boards, commissions, committees, and any individual not paid from the government operations payroll system shall be ineligible for the incentive payment. Also those contractual employees whose contracts prevent payments other than those specified by the contract shall not be eligible.

IT IS FURTHER RESOLVED THAT the Tribal Council, in cooperation with the Ogema, shall develop an appropriate communication to be provided to each employee to inform the individuals of the addition to their paycheck and express the appreciation of the Tribe for the services that they perform.

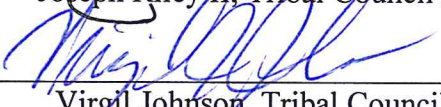
IT IS FINALLY RESOLVED THAT the Accounting Department shall provide a confirmation to the Tribal Council and Ogema at the completion of the payments that provides a total cost breakdown and confirmation that no additional payments are to be made under the 2016 Incentive Payment Program. This confirmation shall be filed in Closed Session following the conclusion of the incentive payment.

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, 1 ABSENT, and 1 Vacant, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 14, 2016 at the Little River Band's Government Center located at 2608 Government Center Drive in Manistee, Michigan, with a quorum being present for such vote.



Joseph Riley II, Tribal Council Recorder



Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Accounting Department
Human Resources Department

APPENDIX A - INCENTIVE PAYMENT 2016

Attachment A to Resolution #16-1214-390

| | | |
|--------------------------|--|-----------------|
| Distribution as follows: | 159 Full-time Employees at \$500 each | = \$79,500 |
| | 4 Part-time Employees at \$300 each | = 1,200 |
| | 7 WFD/Temporary Employees at \$50 each | = 350 |
| | | \$81,050 |
| | FICA | 6,086 |
| | 401K | 2,401 |
| | Total | \$89,537 |

| <u>Fund</u> | <u>Program</u> | <u>Amount</u> | <u>FICA</u> | <u>401K</u> |
|-------------|----------------|------------------|-------------|-------------|
| 1010 | 102 | 1,500.00 | 114.75 | 45.00 |
| 1010 | 149 | 1,500.00 | 114.75 | 45.00 |
| 1010 | 152 | 500.00 | 38.25 | 15.00 |
| 1010 | 154 | 2,000.00 | 153.00 | 60.00 |
| 1010 | 170 | 500.00 | 38.25 | 15.00 |
| 1015 | 112 | 1,000.00 | 76.50 | 30.00 |
| 1015 | 150 | 1,800.00 | 137.70 | 54.00 |
| 1020 | 100 | 1,000.00 | 76.50 | 30.00 |
| 1030 | 120 | 11,000.00 | 841.50 | 330.00 |
| 1030 | 121 | 2,500.00 | 191.25 | 75.00 |
| 1030 | 155 | 2,000.00 | 153.00 | 60.00 |
| 1035 | 124 | 1,000.00 | 76.50 | 30.00 |
| 1040 | 000 | 500.00 | 38.25 | 15.00 |
| 1060 | 158 | 1,000.00 | 76.50 | 30.00 |
| 1070 | 147 | 500.00 | 38.25 | 15.00 |
| 1070 | 164 | 950.00 | 72.68 | 28.50 |
| 1080 | 137 | 1,000.00 | 76.50 | 30.00 |
| 2000 | 400 | 4,100.00 | 313.65 | 123.00 |
| 2000 | 401 | 1,550.00 | 118.58 | 46.50 |
| 2000 | 402 | 5,800.00 | 443.70 | 174.00 |
| 2000 | 403 | 3,500.00 | 267.75 | 105.00 |
| 2000 | 405 | 500.00 | 38.25 | 15.00 |
| 4017 | 000 | 1,000.00 | 76.50 | 30.00 |
| 4018 | 000 | 1,500.00 | 38.25 | 15.00 |
| 4025 | 000 | 2,500.00 | 191.25 | 75.00 |
| 4026 | 000 | 1,500.00 | 114.75 | 45.00 |
| 4031 | 000 | 4,500.00 | 344.25 | 135.00 |
| 4036 | 000 | 5,000.00 | 382.50 | 150.00 |
| 4103 | 000 | 3,000.00 | 229.50 | 90.00 |
| 4104 | 000 | 5,000.00 | 344.25 | 150.00 |
| 4105 | 000 | 2,000.00 | 153.00 | 60.00 |
| 4127 | 000 | 800.00 | 61.20 | 24.00 |
| 4219 | 000 | 500.00 | 38.25 | 15.00 |
| 4224 | 000 | 500.00 | 38.25 | 15.00 |
| 4226 | 000 | 1,000.00 | 76.50 | 30.00 |
| 4274 | 000 | 1,000.00 | 76.50 | 30.00 |
| 4351 | 000 | 2,000.00 | 153.00 | 60.00 |
| 4446 | 000 | 1,000.00 | 76.50 | 30.00 |
| 4447 | 000 | 500.00 | 38.25 | 15.00 |
| 7500 | 000 | 2,050.00 | 156.83 | 61.50 |
| | Subtotal | 81,050.00 | 6085.58 | 2401.50 |
| | Total | 89,537.08 | | |

This attachment is representative for the purpose of approval by Tribal Council to authorize the incentive. The actual payments to be made for December 23, 2016, are subject to final dual control/verification by Human Resources and Finance Department, based on the criteria adopted within the Resolution.

If any department budget requires modification or supplemental funds to execute the Resolution adopted, such resolution shall appear for authorization by Tribal Council not later than December 21, 2016.