



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution #17-0816-280

Approving 2017 One Time Payout to Employees

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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; 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 and Ogema recognize that the employees working for the Tribal Government are one of the Tribe's greatest assets; and

WHEREAS, the Tribal Council and Ogema have determined that it is appropriate to make one time payments to employees under the Tribe's rescinded COLA policy a way of boosting employee morale as the compensation policies are being developed; and

WHEREAS, the Tribal Council and Ogema have determined that it would be inappropriate to add a cost of living adjustment to an employee's base pay and

WHEREAS, the Tribal Council and Ogema have determined that it would be appropriate to make a one-time payment to employees;

NOW, THEREFORE, IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a one-time payment to be distributed according to the following criteria:

2017 One-time Payment Plan:

Eligibility

All regular full-time employees and part-time employees, with the exception of Tribal Council, Tribal Ogema, Tribal Judges, Election Board members, temporary employees, interns, commission members, probationary employees, contract employees, and any other employee who does not work directly for the Tribal Government Operations as of adoption of this resolution, shall not be eligible to receive the one-time payment adjustment. All eligible employees shall receive a one-time payment based on the calculation provided below.

Eligible employees shall receive a payment based on each month of service for each application date. The application dates and percentages are as follows:

- 3/1/2012 – 0.12%
- 9/1/2012 – 1.20 %
- 3/1/2013 – 0.15%
- 9/1/2013 - 1.65 %
- 3/1/2014 – (-0.29%)
- 9/1/2014 – 2.14 %
- 3/1/2015 – (-2.40%)
- 9/1/2015 – 1.95%
- 3/1/2016 – (-1.13%)
- 9/1/2016 – 1.56%
- 3/1/2017 – 0.66%
- 9/1/2017 – 0.73%

Onetime Payment Plan

The payment shall be calculated as follows:

Employee hourly rate of pay multiplied by hours scheduled to work per week multiplied by fifty-two (52) weeks to arrive at annualized wages.

Annualized wages multiplied by each payment in application date as defined by eligibility and proration above and the total of each payment in application date shall equal the amount of payment employees are eligible to receive.


IT IS FURTHER RESOLVED THAT the one-time payment shall only apply to current employees who meet the eligibility requirements listed above.


IT IS ADDITIONALLY RESOLVED THAT the one-time payment shall be added to a regular payroll check to employees and appropriate withholdings shall be made to include federal, state, and local taxes, garnishments, and employee 401(k) contributions. All payments shall be made within 60 days of the adoption of this resolution.

IT IS FINALLY RESOLVED THAT no payments shall be made unless a budget is approved by the Tribal Council to allocate funds for the purpose of making the one-time payments.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 2 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 16, 2017 at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.


Sandra Lewis, Tribal Council Recorder


Joseph Riley, II, Tribal Council Speaker

Attest:

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