



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE AMENDMENT TO JOB DESCRIPTIONS REGARDING HO-CHUNK HISTORY AND CULTURE

#### RESOLUTION 08-20-13K

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") grants the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and
- WHEREAS,** Article V, Section 2(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its Legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and
- WHEREAS,** the Ho-Chunk Nation Legislature passed the *Legislative Organization Act* (2 HCC § 11), which was last amended on June 9, 2009; and
- WHEREAS,** the Legislature set various terms and conditions of employment for all employees of the Nation by adopting the Nation's Employment Relations Act ("ERA") on December 9, 2004 (effective on January 31, 2005); and
- WHEREAS,** the ERA is codified into Ho-Chunk law as 6 HCC § 5 and has been updated and amended from time to time, by Legislative action; and
- WHEREAS,** Chapter I of the Ho-Chunk Nation Employment Relation Act ("ERA") contains provisions addressing Ho-Chunk tribal member preference in all aspects of tribal employment including, but not limited to, the following general policy:

"Section 5. Employment Clause. . . .

#### Executive Offices

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b. Ho-Chunk Preference in Employment Clause. The Nation exercises Native American Preference in employment and shall exercise Ho-Chunk Preference in employment under limited circumstances, which furthers a legitimate governmental purpose, including the goal of employing tribal members at a rate to meet or exceed a majority (50% plus 1) of total employees.”; and

**WHEREAS,** the Legislature amended the Ho-Chunk Preference policy in 2011 in an attempt to improve the employment, training, and retention of tribal members; and

**WHEREAS,** consistent with Article V, Section 2(f) of the Constitution, the Legislature maintains an ongoing interest in Ho-Chunk Preference, as it affects tribal members, their families, and the well-being of the Nation as a whole; and

**WHEREAS,** it serves the Nation, its Members, and all of its employees well when the goals of Ho-Chunk Preference are understood and discussed; and

**WHEREAS,** at the same time, it is important that all employees of the Nation understand they work for a sovereign tribal government with a distinct history, culture and language; and

**WHEREAS,** in an effort to improve the overall understanding that employees have of Ho-Chunk culture and history, the Legislature finds it appropriate to include a requirement in all job descriptions requiring training or orientation in this area;

**NOW, THEREFORE, BE IT RESOLVED,** that the Legislature, pursuant to its Constitutional authority, requires that all job descriptions of the Nation include a requirement that employees have or attend training or orientation to attain knowledge of the history, culture and traditions of the Ho-Chunk Nation and People; and

**BE IT FURTHER RESOLVED,** that, in order to implement the above addition to job descriptions, the Nation’s Personnel Department work with the Nation’s Cultural Resources staff to develop a training or orientation program that all employees can be provided;

#### CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 11 constituting a quorum were present at a meeting duly called and convened and held on the 20<sup>th</sup> day of August, 2013, that the foregoing resolution was adopted at said meeting by an affirmative vote of 11 members, 0 opposed, and 0 abstaining, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Kathleen Lone Tree-Whiterabbit  
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

8.20.13  
Date