



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION FOR PAID EMPLOYEE ADMINISTRATIVE LEAVE RELATED TO INCLEMENT WEATHER

RESOLUTION 02-23-22 E

- 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, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution (“Constitution”) gives the Ho-Chunk Nation Legislature (“Legislature”) the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; 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(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; 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 Legislature set various terms and conditions of employment with 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

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WHEREAS, within Chapter IV of the ERA, Section 27 addresses “Administrative Leave,” describes situations that might allow employees to receive such leave, and delegates authority to the President, Vice President, Chief Justice or Chief Judge to grant such leave; and

WHEREAS, Section 27 of the ERA allows employees to use Paid Time Off (“PTO”) to receive pay in Administrative Leave situations, but the law also allows the Legislature to approve such leave as paid, when approved by Resolution; and

WHEREAS, on February 22, 2022, many tribal office buildings were closed due to inclement weather; and

WHEREAS, the Legislature finds it appropriate to authorize paid Administrative Leave for February 22, 2022 for all Nation employees if they were unable to report to their work site due to inclement weather or work from home that day;

NOW, THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, and the Employment Relations Act, hereby authorizes employees of the Ho-Chunk Nation to receive paid Administrative Leave for the date of February 22, 2022 if they were unable to report to their work site due to inclement weather or work from home that day;

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members** of whom **12** constituting a quorum were present at a meeting duly called and convened and held that on the **23rd day of February, 2022**, adopted the foregoing resolution at said meeting by an affirmative vote of **12 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.


Rep. Stephanie Begay, Tribal Secretary

02.23.22
Date