

Ordinance 14-10

An Ordinance to adopt a **Personnel Policy and Procedures Manual** for the Mille Lacs Band of Ojibwe and to amend Title 6 of the Mille Lacs Band Statutes Annotated and for related purposes.

The District III Representative introduced the following Bill on the 6<sup>th</sup> day of January, 2010.

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of adopting a **Personnel Policy and Procedures Manual** and amending Title 6 of the Mille Lacs Band Statutes Annotated and for related purposes. In conjunction with the adoption of the new **Personnel Policy and Procedures Manual**, Title 6 of the Mille Lacs Band Statutes Annotated is amended to repeal Chapter 1, entitled "Personnel Policy Manual," as well as Chapter 6 entitled "Drug Free Work Place."

Title I.

**Section 1.** Chapter 1, entitled "Personnel Policy Manual," of Title 6 of the Mille Lacs Band Statutes Annotated is hereby repealed in its entirety and replaced as follows:

Chapter 1  
Personnel Policy and Procedures

**§ 1. Adoption and Amendment of Personnel Policy and Procedures Manual**

The Mille Lacs Band of Ojibwe Personnel Policy and Procedures Manual dated January 6, 2010, is hereby adopted and made applicable to all employees of the Mille Lacs Band of Ojibwe and its agencies and subdivisions except as provided in section 2 of this Chapter 1. Hereafter, it shall be the duty of the Employment Law Specialist, Solicitor General's Office, and Legislative Counsel to ensure that the MLBO **Personnel Policy and Procedures Manual** is amended on an annual basis or, as needed, to comply with federal and Band law and Band policy. Such amended **Personnel Policy and Procedures Manual** shall be approved by duly enacted legislation of the Band Assembly prior to implementation.

**§ 2. Exempt Personnel**

(a) The following positions shall not be subject to the provisions of the MLBO **Personnel Policy and Procedures Manual**:

- (1) The Chief Executive;
- (2) Secretary-Treasurer/Speaker of the Assembly and three (3) District Representatives;
- (3) Employees of the Corporate Commission and its subsidiaries;
- (4) Employees of the Gaming Regulatory Authority;
- (5) Employees of the Nay Ah Shing Schools; and
- (6) Employees hired under contract for a particular purpose.

- (b) Appointed officials of the Band are subject to all provisions in the MLBO Personnel Policy and Procedures Manual except to the extent those provisions conflict with other applicable provisions of Band law.

**§ 3. American Indian Preference**

- (a) The American Indian preference provisions in the MLBO Personnel Policy and Procedures Manual shall supersede all other provisions of Band law.
- (b) Assuming equal qualifications, the Personnel Policy and Procedures Manual provides American Indian preference will be given in employment recruitment, hiring, promotions, training and development in the following order:
  - (1) Band Members, defined as enrolled members of the Mille Lacs Band of Ojibwe Indians;
  - (2) Other Indians, defined as enrolled members of any other federally recognized tribe; and
  - (3) All others.

**§ 4. Employee and appointee trade transactions**

- (a) No employee or appointee of the Band shall be allowed to have any personal interest or concern in any business that sells services or goods to any Band entity, except as authorized with written permission by the Chief Executive.


**Section 2.** Chapter 6, entitled “Drug Free Work Place,” of Title 6 of the Mille Lacs Band Statutes Annotated is repealed in its entirety. The Band’s Drug and Alcohol policy, as set forth in the MLBO Personnel Policy and Procedures Manual adopted in accordance with Section 1 above, is hereby approved.

**Section 3.** The Band Assembly reserves the right to amend the MLBO Personnel Policy and Procedures Manual at any time.

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Introduced to the Band Assembly on this  
Sixth day of January in the year  
Two thousand ten.

Passed by the Band Assembly on this  
Sixth day of January in the year  
Two thousand ten.

  
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Herb Weyaus, Speaker of the Assembly

APPROVED

Date: 1/7/10

  
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Marge Anderson, Chief Executive

**OFFICIAL SEAL OF THE BAND**

Band Assembly Bill 13-04-14-10

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