



MILLE LACS BAND OF CHIPPEWA INDIANS
Judicial Branch of Tribal Government

Opinion of the Solicitor General

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08-056-83

TO: Douglas Sam, Secretary of Treasury
FROM: Jay Kanassatega, Solicitor General
SUBJECT: Office of Management and Budget Inquiries regarding Salaried Personnel and Section 5.10 of Personnel Policies.

Erna Keller, Senior Accountant for the Office of Management and Budget has requested an opinion on various personnel related issues which impact financial considerations. The following is provided to respond to these inquires.

Question No. 1: Does a person on salary fill out time sheets?

Response - In compliance with federal management circular A-102 and specific contractual and grant mechanisms for internal financial responsibility, the Band must require all personnel on a programmatic fund basis to submit time sheets. This requirement is mandatory for both hourly and salaried employees.

Question No. 2: Do salaried individuals get paid full salary regardless of time worked?

Response - A review of the personnel policies reveals no discussion of this question. I suggest the Administration Policy Board draft new policies in this area since my statutory authority extends to interpretation of existing policy.

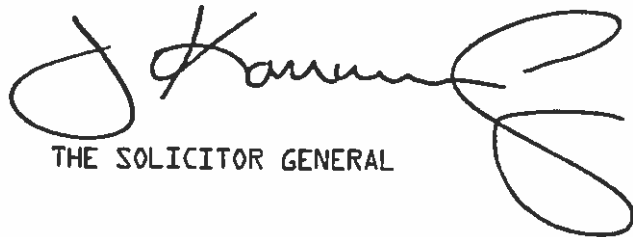
Question No. 3 and all those to follow.

Response - A review of the personnel policies reveals no discussion of this question. I suggest the Administration Policy Board draft new policies in this area since my statutory authority extends to interpretation of existing policies.

Question No. 4: Does a person have to work during the Pow-Wow in order to get paid for Mille Lacs Day as a holiday?

Response - No! The only provision of policy which determines holiday pay is the requirement for official authorized status {working, annual leave, sick leave, compensation time} the day before or after the official holiday. Since Mille Lacs Day is listed as an official holiday, the above restriction is the only one that can legally apply.

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THE SOLICITOR GENERAL

Dated: 8th September 1983

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