



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE EMPLOYEE APPRECIATION BONUS RESOLUTION 11-25-08 B

- 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(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; 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(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; 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,** although best known for the Wisconsin Dells Area Ho-Chunk Casino, Hotel, and Convention Center, the Ho-Chunk Nation enterprises are comprised of a wide variety of businesses, including entertainment, tourism, healthcare, retail, and more; and
- WHEREAS,** the Ho-Chunk Nation is one of Wisconsin's largest employers and employs well over 3,000 employees; and
- WHEREAS,** the Ho-Chunk Nation Legislature has a great appreciation for all its employees have done to make the Ho-Chunk Nation enterprises and government a success; and
- WHEREAS,** the Employment Relations Act defines a full-time employee as "[a]n employee who regularly works a minimum of 32 hours per week on a continuous basis following a probationary period."; and
- WHEREAS,** the Employment Relations Act defines a part-time employee as "[a]n employee who has completed a satisfactory probationary period and regularly works less than 32 hours per week on a continuous basis."

#### Executive Offices

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**WHEREAS,** the Employment Relations Act defines compensation as "the payment made to employees in consideration of the number of hours worked in accordance with payment schedules or a contract, including pay for overtime and other forms of payment in connection with the performance of job assignments." Thus this bonus is not considered compensation as used by Section 5 of Article V of the Constitution.

**NOW THEREFORE BE IT RESOLVED** that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby authorizes a one-time \$400.00 employee appreciation bonus for every Full-Time Employee of the Nation and Contract Employees who have completed one-year of continuous service with the Nation.

**BE IT FURTHER RESOLVED** that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby authorizes a one-time \$200.00 employee appreciation bonus for every Part-Time Employee of the Nation.

**BE IT FURTHER RESOLVED,** the Ho-Chunk Nation Legislature pursuant to its constitutional authority, would like to express its appreciation to all other Ho-Chunk Nation employees including every: Quarter-Time; Full-Time, Part-Time, Quarter-Time Initial Probationary; Limited Term Employee (LTE) and Contract Employees with less then one year of continuous service to the Nation by granting a one-time \$100.00 appreciation bonus.

**BE IT FURTHER RESOLVED** that the employee shall be responsible to pay all of the employee's federal withholding taxes, state taxes, and other applicable taxes which result from the employee appreciation bonus other than FICA as required by the Internal Revenue Service regulations; and

**BE IT FURTHER RESOLVED** that the Ho-Chunk Nation Treasury or other Departments shall not deduct any money from the employee's appreciation bonus to pay off any debts the employee owes to the Nation.

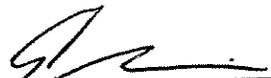
**BE IT FURTHER RESOLVED** that the Ho-Chunk Nation Treasury or other Departments shall not deduct from this employee appreciation bonus nor shall the employee owe payments for insurance or other employee benefits.

**BE IT FURTHER RESOLVED,** that the Ho-Chunk Nation Legislature hereby approves a budget modification from funds in the Federated PMOX Account to the Payroll Operating Account.

**BE IT FURTHER RESOLVED,** this will include all employees of the Ho-Chunk Nation employed as of December 1, 2008.

**CERTIFICATION**

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **11 members**, of whom **10** constituting a quorum were present at a meeting duly called and convened and held on the **25<sup>th</sup> day of November, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **7 members, 0 opposed, and 3 abstaining**, pursuant to the authority of 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 said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

  
\_\_\_\_\_  
Elliott Garvin, Tribal Secretary

11-25-08  
\_\_\_\_\_  
Date