HO-CHUNK NATION LEGISLATURE
Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE
EMPLOYEE APPRECIATION BONUS
RESOLUTION 12-7-10 D

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 Department s 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(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

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WHEREAS, the Ho-Chunk Nation Legislature has a great appreciation for all its employees have done to make the Ho-Chunk enterprises and government a success; and

WHEREAS, the Employment Relations Act ("ERA") defines a full-time employee as "[a]n employee who regularly works a minimum of thirty-two (32) hours per week on a continuous basis following a probationary period."; and

WHEREAS, the ERA defines a part-time employee as "[a]n employee who has completed a satisfactory probationary period and regularly works less than thirty-two (32) hours per week on a continuous basis.": and

WHEREAS, pursuant to the Ho-Chunk Nation Appropriations and Budget Act, the Legislature is authorized to approve a Major Budget Modification based upon written justification; and

BE IT FURTHER RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby authorizes a one-time $100.00 employee appreciation bonus for every full-time employee of the Nation, and nongovernmental entity employee of the Nation(including, but not limited to employees of Ho-Chunk Housing and Community Development Agency, Lynwood Properties and Expo Center).

BE IT FURTHER RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby authorizes a one-time $100.00 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, hereby authorizes a one-time $100.00 employee appreciation bonus for every employee on probation, Limited Time Employment ("LTE") and Contract Employee with less than one year of service.

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

BE IT FURTHER RESOLVED, that the Ho-Chunk Nation Department of 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 Department of 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 to be eligible for this employee appreciation bonus the individual must have been an employee with the Ho-Chunk Nation as of December 4, 2010.

BE IT FURTHER RESOLVED, that if an individual is employed by a Limited Liability Company of the Ho-Chunk Nation, that he/she shall not be eligible for this employee appreciation bonus.

NOW THEREFORE BE IT RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, authorizes a major budget modification from the Loan Principal line item in the General Fund to the Employee Appreciation line item in the General Fund to cover the expense associated with providing said bonus for the eligible Ho-Chunk Nation tribal employees (described in this Resolution 12-7-10 D) as of December 4, 2010.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify 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 **7th day of December, 2009**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **_7_ members, _4_ opposed, and _0_ abstaining**, pursuant to the authority of Article V, Section 2(a) through (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.

Hope B. Smith December 7, 2010

Hope B. Smith, Tribal Secretary Date