



# HO-CHUNK NATION

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## OFFICE OF THE PRESIDENT

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### Executive Order May 4, 2020-1

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**WHEREAS**, the General Council delegated authority to the executive branch to enforce the laws and administer funds pursuant to the CONSTITUTION OF THE HO-CHUNK NATION (CONSTITUTION), Art. IV, § 2; and

**WHEREAS**, the General Council delegates executive authority to the President of the Ho-Chunk Nation pursuant to the CONSTITUTION, Art. VI, § 1(a); and

**WHEREAS**, the CONSTITUTION indicates that the President shall have the power to execute and administer the laws of the Ho-Chunk Nation pursuant to the CONSTITUTION, Art. VI, § 2(a); and

**WHEREAS**, the President holds the power to administer all Departments, boards, and committees created by the Legislature pursuant to the CONSTITUTION, Art. VI, § 2(d); and

**WHEREAS**, the General Council delegated legislative authority to the Ho-Chunk Nation Legislature pursuant to CONSTITUTION, Art. V, § 1(a); and,

**WHEREAS**, the Legislature adopted EMPLOYMENT RELATIONS ACT OF 2004 (ERA), pursuant to its constitutional authority as articulated in CONSTITUTION, Art. V, § 2(a); and,

**WHEREAS**, the President routinely enters administrative or executive orders pertaining to the administration of the executive branch; and

**WHEREAS**, the ERA states

General Hours of Work and Attendance.

a. Due to the varying nature of Tribal business and service needs, no single work schedule can be established for all employees. Executive Directors, upon consultation with supervisory personnel and with approval of the appropriate Administrator, will determine operational days and hours of work, or the modification thereof. General working times for Administration and Programs are Monday-Friday, 8:00 a.m. to 4:30 p.m., unless altered by Legislative or Executive Order. Working times for Gaming and Non-Gaming Enterprises will be established individually upon operational needs.

ERA, 6 HCC §5.31a; and

**WHEREAS**, the ERA states that "...[d]uring an Emergency Declaration, the Nation may reserve the right to deny entry onto Tribal properties or access to services to all employees and/or members of the public in the interest of safety." ERA, §5.32d.

**WHEREAS**, the ERA states that "[i]n an emergency situation . . . it may become necessary to temporarily close worksites." ERA, §5.69.

**WHEREAS**, the ERA states

Shortfalls in Tribal Revenue. Shortfalls in tribal revenue may result in funding deficits that make it necessary for a program area to temporarily reduce the regular hours of employment or temporarily place employees on leave without pay. All affected positions shall be identified and appropriate reductions in pay shall be implemented for all affected employees . . . .

ERA, §5.76; and

**WHEREAS**, the President declared a state of emergency for the Ho-Chunk Nation in response to the Coronavirus (COVID-19) pandemic in accordance with Legislative Resolution 03.12.2020A. *See Administrative Order Mar. 13, 2020-1*; and

**WHEREAS**, the Ho-Chunk Nation Executive Branch modified its Continuity of Operations Plan (COOP), closed gaming facilities, and transitioned enterprises and government to critical functions. *See Administrative Order Mar. 17, 2020-1*; *see also Executive Order Mar. 17, 2020-1* and *Amended Executive Order Mar. 20, 2020-1*; and

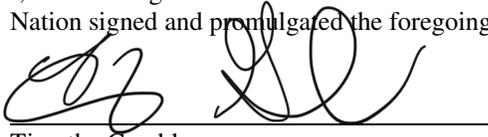
**WHEREAS**, the Ho-Chunk Nation Executive Branch and Ho-Chunk Nation Legislative Branch co-authored *Cii Hapera Hiracera Piji*, which indicates that the Nation's Declaration of a State of Emergency continues to be in place, and requests that the Nation's members remain safer at home. *See Ho-Chunk Nation Legislative Resolution 03.31.20D*; *Administrative Order Mar. 31, 2020-1*; and

**NOW, THEREFORE, BE IT RESOLVED** that the President, by the authority vested by the CONSTITUTION and the laws of the Ho-Chunk Nation, enters the following executive order effective Friday, May 15, 2020 at 4:30 p.m.:

I, President Marlon E. WhiteEagle, modify the general working times for Administration and Programs of the Ho-Chunk Nation Executive Branch. *See ERA, 6 HCC §§ 5.31, -32d, -69, -76.* The Ho-Chunk Nation Executive Branch employees (excluding the Ho-Chunk Nation Department of Health, Ho-Chunk Nation enterprises, Executive Directors, and contract, exempt, and grant employees) will be operational for 32 hours per week until further notice; general working times for Administration and Programs of the Ho-Chunk Nation Executive Branch will be Monday through Thursday, 8:00 a.m. to 4:30 p.m. Executive Directors must ensure critical coverage for the work week. All Executive Directors, contract, exempt, and grant employees will arrange teleworking capabilities on Fridays from 8:00 a.m. – 4:30 p.m. The Ho-Chunk Nation Department of Health will remain open Monday through Friday, 8:00 a.m. to 4:30 p.m. If there is a need for additional critical staff and hours, then it must be addressed with the Ho-Chunk Nation President as soon as practicable.

  
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Marlon E. WhiteEagle  
MaxiSkaHanazi  
Ho-Chunk Nation President  
5-4-20  
\_\_\_\_\_  
Date

I, the undersigned Office of the President Executive Secretary, hereby certify that the President of the Ho-Chunk Nation signed and promulgated the foregoing *Executive Order*:

A handwritten signature in black ink, appearing to be 'TG', written over a horizontal line.

Timothy Gamble  
Executive Secretary

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