

Executive Veto of the Amendment to Waganakising Odawak Statute WOS 2002-04 Indian Preference in Tribal Employment as passed by Tribal Council on February 17, 2013

While the Executive branch can understand the Tribal Council intention in passing this amendment, this amendment seriously limits the authority and discretion of both the Executive and Odawa Casino Resort to manage staffing when a vacancy occurs.

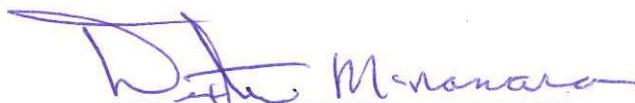
Interim positions are filled temporarily so that the organization has time to post, interview, and hire a permanent staff member. The Executive Branch currently requires that positions are posted for a minimum of 21 days. This time is extended by the interview, selection, onboarding processes. This is a very long time for positions to be vacant. Posting an interim position would require the same timeframe just to fill a position temporarily. Some positions simply cannot be vacant. The CFO and Tribal Administrator authorize many other employee and organizational actions, and someone needs to have signing authority when a vacancy occurs. Posting interim positions would require two postings and two sets of interviews to take place.

Requiring that all positions are posted severely limits the leadership in times of change. When a position is eliminated or a grant ends, we would no longer be able to find comparable positions for those employees losing jobs. In the event of organizational restructuring, employees would need to be terminated with no guarantee of their re-hire. This could have serious impact for the casino, which has already had several restructuring events, or in the event of large funding cuts to the government operations.

The Executive Branch uses interim positions and internal transfers to protect the needs of the organization and protect the employment of Tribal members.

Due to the concerns explained above, I am issuing a veto to this amendment.

Prepared and signed March 19, 2013



Dexter McNamara, Tribal Chairman

March 19, 2013

WAKANAKISING ODAWAK STATUTE 2013-__
AMENDMENT TO WAGANAKISING ODAWAK STATUTE WOS 2002-04
INDIAN PREFERENCE IN TRIBAL EMPLOYMENT

SECTION I. INSERTION

SECTION IV. POSTING OF POSITIONS

All new, vacant or interim positions shall be posted and shall include the necessary qualifications of the job with clear description of experience, background, abilities, skills and education that is needed in order to be successful in the position.

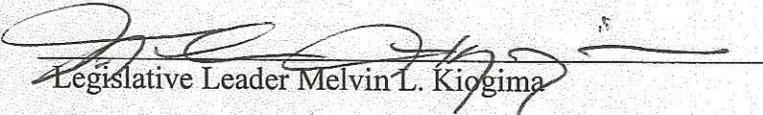
SECTION II. EFFECTIVE DATE

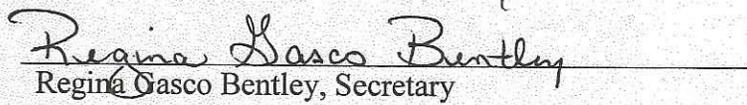
Effective upon signature of the Executive or 30 days from Tribal Council approval whichever comes first or if the Executive vetoes the Statute, then upon Tribal Council override of the veto.

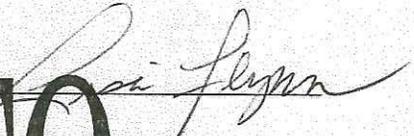
CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Statute was duly passed by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on February 17, 2013 at which a quorum was present, by a vote of 8 in favor, 1 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Belinda Bardwell	X			
Bill A. Denemy	X			
Kevin Gasco	X			
John Keshick	X			
Aaron Otto		X		
Winnay Wemigwase	X			
John Bott	X			
Regina Gasco Bentley	X			
Melvin L. Kiogima	X			

Date: 2/17/13

 Legislative Leader Melvin L. Kiogima

Date: 2-17-13

 Regina Gasco Bentley, Secretary

Received by the Executive Office on 2-17-13 by 

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: _____
 Dexter McNamara, Tribal Chairperson

VETO