

ROLL CALL MATRIX

Meeting Date: 11-22-2016 _____

P	A	Res. Number 2016	266	267	268	269	270	271	272	273	274	275	276
		Unanimous		U	U	U	U	U	U	U			
X		Michael McKerchie	Y		Y			Y	Y		Y	Y	Y
X		Kim Gravelle	Y		2Y			Y	Y		Y	Y	Y
X		Denny McKelvie	Y		Y			Y	Y		Y	Y	Y
X		DJ Hoffman	N		Y			Y	Y		1Y	1Y	1Y
X		Jennifer McLeod	1Y	2	Y	1	1	1Y	Y		Y	Y	Y
X		Lana Causley	Y		Y			Y	Y	2	Y	Y	Y
X		Cath Hollowell	Y		Y			Y	Y		Y	Y	Y
X		Bridgett Sorenson	Y	1	Y			Y	2Y	1	N	N	N
X		Keith Massaway	2Y		1Y		2	Y	Y		2Y	2Y	2Y
X		Denise Chase	Y		Y			Y	Y		N	N	N
X		Darcy Morrow	Y		Y			Y	1Y		N	N	N
X		Anita Nelson	Y		Y	2		2Y	Y		Y	Y	Y
X		Aaron Payment											

- 1 = Made Motion
- Y = Voted Yes
- A = Abstained

- 2 = Second/Support Motion
- N = Voted No
- U = Unanimous

ROLL CALL MATRIX

Meeting Date: 11-22-2016_____

P	A	Res. Number 2016	277	278	279	280	281							
		Unanimous												
X		Michael McKerchie	Y	Y	Y	Y	Y							
X		Kim Gravelle	Y	Y	Y	Y	Y							
X		Denny McKelvie	Y	Y	N	Y	1Y							
X		DJ Hoffman	1Y	1Y	1Y	Y	N							
X		Jennifer McLeod	Y	Y	Y	2Y	Y							
X		Lana Causley	Y	Y	Y	Y	Y							
X		Cath Hollowell	Y	Y	Y	Y	Y							
X		Bridgett Sorenson	N	N	N	1Y	Y							
X		Keith Massaway	2Y	2Y	2Y	Y	2Y							
X		Denise Chase	N	N	N	Y	N							
X		Darcy Morrow	N	N	N	N	N							
X		Anita Nelson	Y	Y	Y	Y	Y							
X		Aaron Payment												

- 1 = Made Motion
- Y = Voted Yes
- A = Abstained
- 2 = Second/Support Motion
- N = Voted No
- U = Unanimous



RESOLUTION NO: 2016-266

**UTILITY AUTHORITY - ODENAANG
ESTABLISHMENT OF A FY 2016 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2016 budget for Odenaang for \$3,487.82, with the funds coming from the programs Fund Balance. No effect on Tribal Support.

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**Government
Services**

**Membership
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**Economic
Development
Commission**

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 1 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians



Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2016-267

**SANITATION – BE-13-J11
ESTABLISHMENT OF A FY 2017 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2017 budget for Sanitation BE-13-J11 with IHS Revenue monies of \$4,918.05. These funds represent carry over. No effect on Tribal Support.

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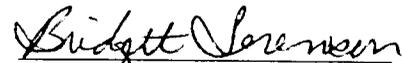
**Economic
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Commission**

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians



Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2016-268

**SANITATION – BE-15-J54
FY 2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Sanitation BE-15-J54 for an increase in Federal IHS monies of \$147,497.94. No effect on Tribal Support.

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CERTIFICATION

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Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
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Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
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RESOLUTION NO: 2016 - 269

**NATIONAL CONGRESS OF AMERICAN INDIANS (NCAI)
FY 2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to NCAI for an increase in Other Revenue monies of \$203.65. This budget modification reflects actual award amount and a reallocation of expenses. No effect on Tribal Support.

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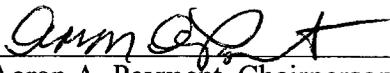
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CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
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Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
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RESOLUTION NO: 2016-270

**ELDERLY – IMPLEMENTATION OF MENTAL HEALTH
AND AGING INITIATIVE
ESTABLISHMENT OF A FY 2017 BUDGET**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2017 budget for Implementation of Mental Health and Aging Initiative for \$1,800.00 with Other Revenue monies from ITC. No effect on Tribal Support.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
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Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
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RESOLUTION NO: 2016-271

**ACFS – CHILD CARE DEVELOPMENT FUNDS
FY 2017 BUDGET MODIFICATIONS (CC#2805 & CC#2800) AND
ESTABLISHMENT OF FY 2017 BUDGET (CC#2801)**

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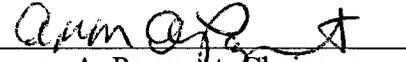
BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Child Care Development Fund (CC#2805) for an increase in Federal Health and Human Service monies of \$52,896.44. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Child Care Development (CC#2800) for a decrease in Federal Health and Human Service monies of \$50,000.00. No effect on Tribal Support.

BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians approves the establishment of a FY 2017 budget for Child Care Development Fund (CC#2801) with Federal Health and Human Service monies of \$81,620.17. No effect on Tribal Support.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


Aaron A. Payment, Chairperson
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Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
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RESOLUTION NO: 2016-272

TO ADOPT THE FY 2017-2021 SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS TRANSPORTATION IMPROVEMENT PLAN (TIP)

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has worked to develop the 2017-2021 Sault Ste. Marie Tribe of Chippewa Indians Tribal Transportation Improvement Plan, which we are using to request the Bureau of Indian Affairs to incorporate into their Control Schedule Transportation Improvement Plan as a required step to help us to receive our "Tribal Shares" funding; and

WHEREAS, the Board of Directors agrees with the needs and priorities presented in the 2017-2021 Sault Ste. Marie Tribe of Chippewa Indians Transportation Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors Sault Ste. Marie Tribe of Chippewa Indians supports and adopts the 2017-2021 Tribal Transportation Improvement Plan for the projects listed in the attached CSTIP forms that were developed between the Tribe and the BIA for Tribal Shares funding.

BE IT FURTHER RESOLVED, that the Chairperson or his designee, is authorized and directed to execute and deliver such agreements, documents, or instruments to the Bureau of Indian Affairs (BIA) as may be required or to take any and all such action which may be necessary to implement the forgoing and update the Tribal Long Range Transportation Plan approved by Resolution No: _____.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
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Bridgett Sorenson, Secretary
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Government Services

Membership Services

Economic Development Commission



RESOLUTION NO: 2016-273

MACKINAC COUNTY COOPERATIVE AGREEMENT

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors has identified roads in Mackinac County named Mackinac Trail and 3 Mile Road serving the residents of the Tribe and the County, and Tribal Business patrons, which are important to the general health and welfare of the Members and the residents of the Reservation; and

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WHEREAS, the Tribe has BIA Tribal Transportation Program (TTP) maintenance funds for Mackinac Trail and 3 Mile Road which were approved by the Bureau of Indian Affairs Department of Transportation to be added to the Tribe's TTP inventory; and

WHEREAS, the Road Commission is responsible for maintenance of Mackinac Trails and 3 Mile Road, the Road Commission is not financially able, without the assistance of the Tribe and the Bureau, to apply pure salt to the roads and thoroughfares within its jurisdiction during the 2016-2017 winter season; and the Mackinac County Road Commission is completely responsible for the project; and

WHEREAS, the Tribe is desirous to contract with the County to provide on certain sections of Mackinac Trail and 3 Mile Road a measure of snow and ice removal during the winter season which the County would not otherwise be financially able to support.

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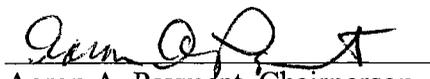
Economic Development Commission

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Cooperative Agreement between Mackinac County Road Commission, a duly organized County Government and the Sault Ste. Marie Tribe of Chippewa Indians, and authorizes expenditures up to \$40,000, from the Transportation Maintenance Fund, cost center 2931.

BE IT FURTHER RESOLVED, that the Chairperson or his designee, is authorized and directed on behalf of the Sault Ste. Marie Tribe of Chippewa Indians to sign the Cooperative Agreement.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


Aaron A. Payment, Chairperson
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Bridgett Sorenson, Secretary
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RESOLUTION NO: 2016-274

AMENDING EXEMPT/NON-EXEMPT TEAM MEMBER STATUS POLICIES

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Government Services

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WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors has previously approved Exempt/Non-Exempt Team Member Status Policies for Governmental, Enterprise and Casino Supervisor Manuals; and

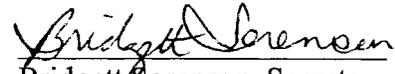
WHEREAS, the specific modifications to the Exempt/Non-Exempt Team Member Status sections of the Governmental, Enterprise, and Casino Supervisor and Team Member Manuals are as attached page 1 through 3.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors enacts the revisions to the Governmental, Enterprise, and Casino Exempt/Non-Exempt Team Member Status Policies as attached on pages 1 through 3 beginning on November 22, 2016.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 3 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians


Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

EXEMPT/NON-EXEMPT TEAM MEMBER STATUS

I. **Purpose:** To define exempt and non-exempt team member requirements.

II. **Scope:** This policy applies to all team members.

III. **Policy:** All positions within Sault Tribe will be classified as either exempt or non-exempt in compliance with applicable law and for pay administration purposes.

A. **Exempt Team Members**

1. Team members, who are exempt are compensated on a salary basis, in compliance with the Fair Labor Standards Act, regardless of the precise number of hours they work in any one-week. They do not work on an hourly basis. However, it is expected by the Tribe that full-time exempt team members will average in excess of forty hours per week of work. Exempt team members will not be compensated for any hours worked beyond forty hours per week.
2. An exempt employee will accumulate leave, including sick leave, as provided elsewhere in this policy. Exempt team members must use accumulated leave in full day increments and not on an hourly basis. If the team member takes part of a workday off, he/she will be paid for the whole day as if he/she had worked the whole day.
3. Exempt team members who violate personnel policy may be placed on a disciplinary leave of absence in one-week increments. The disciplinary leave of absence will start at the beginning of a workweek.
4. An exempt team member will receive a full salary for any week in which he or she performs work without regard to the number of days or hours worked, unless one of the following exceptions is met:
 - a. The team member is absent from work for a day or more for personal reasons, other than sickness or accident (29 C.F.R. 541.118(a)(2));
 - b. The team member is absent for a day or more because of sickness or disability and a deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for loss of salary occasioned by both sickness and disability (29 C.F.R. 541.118(a)(3));
 - c. The employer imposes penalties in good faith for major safety violations (29 C.F.R 541.118(a)(5)) or as prescribed in the Discipline Policy; (See Discipline Policy)

- d. The Team member's initial or terminal week of employment.
- e. For weeks in which an exempt team member takes unpaid leave under the Family and Medical Leave Act.
- f. Deductions are not permitted for absences occasioned by the employer or by the operating requirements of the business, or for absences "caused by jury duty attendance as a witnessed or temporary military leave" (29 C.F.R. 541.118).
- g. No compensation is required, however, for any workweek in which no work is done.

B. Non Exempt (Hourly) Team Members

- 1. Team members who are non-exempt receive overtime for hours actually worked in excess of forty (40) in one week. The Company Overtime Policy conforms to overtime provisions of the Federal Fair Labor Standards Act. Exemption from these provisions will be claimed for a team member only when it can clearly be established that the team member's duties and responsibilities meet the requirements for such exemption.
- 1. The overtime policy for team members include the following principal elements: (See Overtime/Compensatory Time Policy)
 - a. Non-exempt team members will be paid straight time for all hours worked through forty in one work week.
 - b. Non-exempt team members will be paid overtime for hours worked in excess of forty in one work week. Overtime is calculated at a rate of one and one half times the regular rate of pay.
 - c. Only hours actually worked will be used to calculate overtime. Paid time off for holidays, jury duty, vacation, sick leave or any other leave for hours not actually worked will not be considered "hours worked".
 - d. Overtime worked by non-exempt team members must be authorized in advance in writing by the authorized supervisor.
 - e. Premium pay/double time will be used in the calculation of overtime pay. Also refer to the overtime section.
 - f. Time spent traveling as part of a team member's daily work activity is compensated work time, including travel from one job site to another or travel from a designated meeting place to a job site.

- g. Travel away from home. Travel by a team member who will be required to be away from home overnight is work time only during those periods that coincide with the team member's regular working hours (e.g., 9 a.m. to 5 p.m.). Such time is counted as hours worked even if it occurs on a non-working day (e.g., Saturday or Sunday between 9 a.m. and 5 p.m.). Travel outside regular working hours as a passenger in a plane, train, boat, bus or automobile is not hours worked.

C. Salaried Non-Exempt Team Members-

1. A Salaried Non-Exempt Team Member is one who receives a minimum set salary based on their hourly wage in addition to being covered under the minimum wage and overtime rules of the Fair Labor Standards Act (FLSA). Salaried Non-Exempt team members must meet the exempt tests under FLSA with the exception of the Salary Test. (See Overtime/Compensatory Time Policy)
2. The overtime provisions listed above in paragraph B. above apply (See Overtime/Compensatory Time Policy)

IV. Legislative History: Resolution No. 2016-XXX, November 2016



RESOLUTION NO: 2016-274

AMENDING EXEMPT/NON-EXEMPT TEAM MEMBER STATUS POLICIES

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WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors has previously approved Exempt/Non-Exempt Team Member Status Policies for Governmental, Enterprise and Casino Supervisor Manuals; and

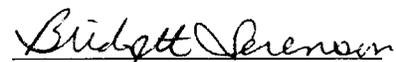
WHEREAS, the specific modifications to the Exempt/Non-Exempt Team Member Status sections of the Governmental, Enterprise, and Casino Supervisor and Team Member Manuals are as attached page 1 through 3.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors enacts the revisions to the Governmental, Enterprise, and Casino Exempt/Non-Exempt Team Member Status Policies as attached on pages 1 through 3 beginning on November 22, 2016.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 3 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
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Bridgett Sorenson, Secretary
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EXEMPT/NON-EXEMPT TEAM MEMBER STATUS

I. Purpose: To define exempt and non-exempt team member requirements.

II. Scope: This policy applies to all team members.

III. Policy: All positions within Sault Tribe will be classified as either exempt or non-exempt in compliance with applicable law and for pay administration purposes.

A. Exempt Team Members

1. Team members, who are exempt are compensated on a salary basis, in compliance with the Fair Labor Standards Act, regardless of the precise number of hours they work in any one-week. They do not work on an hourly basis. However, it is expected by the Tribe that full-time exempt team members will average in excess of forty hours per week of work. Exempt team members will not be compensated for any hours worked beyond forty hours per week.
2. An exempt employee will accumulate leave, including sick leave, as provided elsewhere in this policy. Exempt team members must use accumulated leave in full day increments and not on an hourly basis. If the team member takes part of a workday off, he/she will be paid for the whole day as if he/she had worked the whole day.
3. Exempt team members who violate personnel policy may be placed on a disciplinary leave of absence in one-week increments. The disciplinary leave of absence will start at the beginning of a workweek.
4. An exempt team member will receive a full salary for any week in which he or she performs work without regard to the number of days or hours worked, unless one of the following exceptions is met:
 - a. The team member is absent from work for a day or more for personal reasons, other than sickness or accident (29 C.F.R. 541.118(a)(2));
 - b. The team member is absent for a day or more because of sickness or disability and a deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for loss of salary occasioned by both sickness and disability (29 C.F.R. 541.118(a)(3));
 - c. The employer imposes penalties in good faith for major safety violations (29 C.F.R 541.118(a)(5)) or as prescribed in the Discipline Policy; (See Discipline Policy)

- d. The Team member's initial or terminal week of employment.
- e. For weeks in which an exempt team member takes unpaid leave under the Family and Medical Leave Act.
- f. Deductions are not permitted for absences occasioned by the employer or by the operating requirements of the business, or for absences "caused by jury duty attendance as a witnessed or temporary military leave" (29 C.F.R. 541.118).
- g. No compensation is required, however, for any workweek in which no work is done.

B. Non Exempt (Hourly) Team Members

- 1. Team members who are non-exempt receive overtime for hours actually worked in excess of forty (40) in one week. The Company Overtime Policy conforms to overtime provisions of the Federal Fair Labor Standards Act. Exemption from these provisions will be claimed for a team member only when it can clearly be established that the team member's duties and responsibilities meet the requirements for such exemption.
- 1. The overtime policy for team members include the following principal elements: (See Overtime/Compensatory Time Policy)
 - a. Non-exempt team members will be paid straight time for all hours worked through forty in one work week.
 - b. Non-exempt team members will be paid overtime for hours worked in excess of forty in one work week. Overtime is calculated at a rate of one and one half times the regular rate of pay.
 - c. Only hours actually worked will be used to calculate overtime. Paid time off for holidays, jury duty, vacation, sick leave or any other leave for hours not actually worked will not be considered "hours worked".
 - d. Overtime worked by non-exempt team members must be authorized in advance in writing by the authorized supervisor.
 - e. Premium pay/double time will be used in the calculation of overtime pay. Also refer to the overtime section.
 - f. Time spent traveling as part of a team member's daily work activity is compensated work time, including travel from one job site to another or travel from a designated meeting place to a job site.

- g. Travel away from home. Travel by a team member who will be required to be away from home overnight is work time only during those periods that coincide with the team member's regular working hours (e.g., 9 a.m. to 5 p.m.). Such time is counted as hours worked even if it occurs on a non-working day (e.g., Saturday or Sunday between 9 a.m. and 5 p.m.). Travel outside regular working hours as a passenger in a plane, train, boat, bus or automobile is not hours worked.

C. Salaried Non-Exempt Team Members-

1. A Salaried Non-Exempt Team Member is one who receives a minimum set salary based on their hourly wage in addition to being covered under the minimum wage and overtime rules of the Fair Labor Standards Act (FLSA). Salaried Non-Exempt team members must meet the exempt tests under FLSA with the exception of the Salary Test. (See Overtime/Compensatory Time Policy)
2. The overtime provisions listed above in paragraph B. above apply (See Overtime/Compensatory Time Policy)

IV. Legislative History: Resolution No. 2016-XXX, November 2016



RESOLUTION NO: 2016-275

AMENDING HANDBOOK DEFINITIONS

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

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WHEREAS, the Board of Directors has previously approved Handbook Definitions for Governmental, Enterprise and Casino Team Member Manuals; and

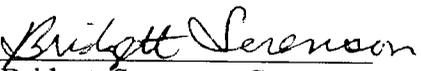
WHEREAS, the specific modifications to the Handbook Definitions sections of the Governmental, Enterprise, and Casino Team Member Manuals are as attached pages 1 through 3.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors enacts the revisions to the Governmental, Enterprise and Casino Handbook Definitions as attached on pages 1 through 3 beginning on November 22, 2016.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 3 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians


Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

HANDBOOK DEFINITIONS

I. **Purpose:** To help Team Members understand some of the words and terms used in this handbook.

II. **Scope:** All team members

III. **Policy:**

A. **The terms "us", "the company", "the employer", "Kewadin Casinos-Hotel and Convention Center", "Kewadin Casinos", "the casino", "enterprises," "we", "the Tribe", "Sault Tribe" or any other first person term, is used in this handbook to mean the following:**

1. Sault Ste. Marie Tribe of Chippewa Indians, Housing Authority and Chi Mukwa Community Recreation Center, Kewadin Casino Gaming Authority, MidJim Convenience stores, Chippewa Service and Supply, Kewadin Casino, Northern Hospitality, DeMawating Development, Eagle Ridge Apartments, Sawyer Village, or any other enterprise fully owned and operated by the Sault Ste. Marie Tribe of Chippewa Indians.

B. **The terms "employee", "personnel", "staff", "worker", "team member", "you," or any other second person term is used in this handbook to mean persons employed by one or more of the following:**

1. Sault Ste. Marie Tribe of Chippewa Indians, Housing Authority and Chi Mukwa Community Recreation Center, Kewadin Casino Gaming Authority, MidJim Convenience stores, Chippewa Service and Supply, Kewadin Casino, Northern Hospitality, DeMawating Development, Eagle Ridge Apartments, Sawyer Village, or any other enterprise fully owned and operated by the Sault Ste. Marie Tribe of Chippewa Indians.

C. The following definitions apply, unless a different meaning is plainly required by the context:

Exempt team member: An exempt team member is one who is generally excluded from coverage under the minimum wage and overtime rules of the Fair Labor Standard Act (FLSA).

Non-exempt team member: A nonexempt team member is one who is generally covered under the minimum wage and overtime rules of the Fair Labor Standard Act (FLSA).

Salaried Non-Exempt- A Salaried Non-Exempt Team Member is one who receives a minimum set salary based on their hourly wage in addition to being covered under the minimum wage and overtime rules of the Fair Labor Standards Act (FLSA). Salaried Non-Exempt team members must meet the exempt tests under FLSA with the exception of the Salary Test.

Introductory team member: An introductory team member is one who has not yet completed the specified introductory period.

Regular team member: A regular team member is one who has completed the specified introductory period.

Full- time team member: A full-time team member is one who is generally scheduled to work thirty (30) hours or more in a workweek. Full-time status is not a guarantee of any number of work hours in any workweek. In all cases, the current prevailing business conditions and employer discretion dictate work hours.

Part-time team member: A part-time team member is one who generally is scheduled to work twenty-nine (29) hours or less in a workweek. Part-time status is not a guarantee of any number of work hours in any workweek. In all cases, the current prevailing business conditions and employer discretion dictate work hours.

Temporary team member: A temporary team member is one who is hired as an interim replacement or to temporarily supplement the work force or assist in the completion of a specific job. Temporary employment of a team member shall not exceed six months in duration without written approval from the Human Resource Director.

Seasonal team member: A seasonal team member is one who is hired for an established period of time usually during peak workloads or seasonal demands. Seasonal team members may work a full-time or part-time schedule during the season. Seasonal team members are expected to work less than 1000 hours during the season. Seasonal team members are team members we anticipate to return for the following season. Seasonal team members are ineligible for company benefits except for holiday pay or shift differential pay, if offered or available.

Company premises or work premises: Company premises or work premises shall include any and all company-controlled buildings, offices, desks, work areas, lockers, rest areas, lounges, loading docks, trailers, vehicles, job sites, parking lots, and surrounding areas, whether owned, leased, under the custody of or occupied by the company.

Hiring Preference: Will be: 1) Sault Tribe Member, 2) Sault Tribe Member Spouse/Dependent, 3) Other Native American 4) Other.

Home Company: A separate and distinct legal entity with its own federal employment identification number. A home company may have many cost centers that belong to it. Contact Human Resources if you have any questions concerning this issue.

WORDING: The words **shall** or **will** are to be construed as mandatory, and the word **may** as permissive.

Employment At Will: Employment at will means that no contract for work, either express or implied, exists as to the employer-employee relationship. The company may terminate or alter your employment without notice or your consent and may do so for any reason whatsoever. At the same time, you may terminate your employment at any time, without notice, for any reason whatsoever. Please see the Employment at Will section for a further explanation of Employment at Will.

IV. Legislative History: Resolution No. 2016-XXX, November 2016



RESOLUTION NO: 2016-276

AMENDING SICK LEAVE POLICIES

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors has previously approved Sick Leave Policies for Governmental, Enterprise and Casino Team Member Manuals; and

WHEREAS, the specific modifications to the Sick Leave sections of the Governmental, Enterprise and Casino Team Member Manuals are as attached page 1.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors enacts the revisions to the Governmental, Enterprise and Casino Sick Leave Policies as attached on page 1 beginning on November 22, 2016.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 3 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment
Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson
Bridgett Sorenson, Secretary
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Government Services

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SICK LEAVE POLICY

I. Purpose: The purpose of this policy is to define the requirements for use and eligibility of sick leave and sick leave donations. Sick leave is designed to provide income protection for team members who, for medical reasons, are temporarily absent from work for limited periods.

II. Scope: This policy applies to all regular team members as defined in the Policy Benefits /Eligibility Sheet.

III. Policy:

- A. Sick leave can be used for optical, dental, medical, behavioral health and bereavement (see bereavement policy). Sick leave usage may also be used when someone in your care is ill. Sick leave is subject to management approval.
- B. This policy also allows team members to help other team members who are having a health crisis by allowing team members to donate or transfer up to the amount that they normally accrue during one-year to a leave bank each year of their employment.
- C. If a team members position is reclassified from exempt to non-exempt status due to a change in applicable law or policy, that team member shall retain the same sick leave accrual rate that they were entitled to prior to that reclassification.

IV. Legislative History: Resolution No. 2016-XXX, Nov 2016; Resolution No. 2014-115, Jul 2014



RESOLUTION NO: 2016-277

AMENDING VACATION POLICIES

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

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WHEREAS, the Board of Directors has previously approved Vacation policies for Governmental, Enterprise and Casino Team Member Manuals; and

WHEREAS, the specific modifications to the Vacation sections of the Governmental, Enterprise and Casino Team Member Manuals are as attached pages 1 and 2.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors enacts the revisions to the Governmental, Enterprise and Casino Vacation Policies as attached on pages 1 and 2 beginning on November 22, 2016.

Government Services

Membership Services

Economic Development Commission

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 3 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment
Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson
Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

VACATION POLICY

- I. **Purpose:** Vacation benefits are provided so that team members may enjoy rest and relaxation away from work. Sault Tribe strongly encourages team members to take all the time they are entitled to for each benefit year. This policy defines the guidelines for utilizing the vacation benefits.

- II. **Scope:** This policy applies to all regular team members as defined in the Policy Benefits/Eligibility Sheet. This policy does **not** apply to Sault Tribe Construction and Housing field workers (See the Leave Pay For Field Workers Policy).

- III. **Policy:**
 - A. **Vacation Accrual Rates:** Vacation time accrual may vary from home company to home company and is based on the position held, please refer to the Policy Benefits/Eligibility Sheet to determine what vacation benefits are available. Vacation accrual rates are based on a team member working a 2080 hour work year. A regular part time team member is eligible to accrue a portion of vacation time based on the number of hours the part time team member works.

 - B. **Vacation Eligibility:** Team members must be classified as a regular full-time or regular part time team member and complete the required introductory period to be eligible to take vacation time.

 - C. **Vacation Approval:**
 1. A team member's supervisor has the authority to approve or disapprove vacation time based on job performance and anticipated workloads, etc. The fact that a team member has accumulated vacation time does not mean that the vacation time is to be taken at team member's discretion.

 2. Team member's vacation time must be requested and approved in advance by their immediate supervisor. Any vacation days taken without approval will result in loss of pay and disciplinary action.

 3. Supervisors must return a copy of the approved or disapproved Leave Request Form to the team member within 2 working days to allow the team member to make appropriate plans.

 - D. **Vacation Pay-out at Separation:** Up to 20 days (160 hours) of unused accrued vacation time will be paid to all team members upon separation regardless of the reason for separation (See Separation Policy). The vacation pay out will be computed based on the pay rate earned at the time of separation.

- E. **Accrued Vacation Hours Transfer (Same Home Company):** When a team member takes a position within the same home company, their vacation hours transfer with them.
- F. **Accrued Vacation Hours Transfer (New Home Company):** When a team member takes a position in a different home company, they may request to have their vacation hours transferred to the new home company utilizing the Vacation and Sick Liability Transfer Form. If the team member does not request the hours to be transferred or the receiving home company supervisor declines the request, the accrued vacation hours shall be paid out up to 20 days (160 hours) of unused accrued vacation.
- G. **Vacation Carry Over to New Year:** Team members will be allowed to carry forward a maximum of 30 days (240 hours) of accrued vacation hours into the next calendar year. Any hours remaining over the 30-day maximum allowed to be carried over into the next calendar year will be forfeited at the end of the calendar year. Please note that a team member can request to convert excess vacation time to sick time in order to donate to the sick leave bank as identified in the sick leave policy.
- H. **Committee's:** For exempt and non- exempt team members, vacation time must be used when serving on a board or committee where an honorarium or stipend is paid or their position is grant funded and a team member is attending during working hours. If there is no payment for service or the position is not grant funded, then team members can attend at your supervisor's discretion.
- I. **Vacation Accrual Date:** When team members are hired into a new home company or transfer within the same home company, with no break in service they shall retain their vacation accrual date for the purposes of number of hours of vacation earned in a year. The actual vacation accrual will be based on the rate of the new home company and the years of service. (See the Policy Benefits/Eligibility Sheet)
- J. If a team members position is reclassified from exempt to non-exempt status due to a change in applicable law or policy, that team member shall retain the same leave accrual rate that they were entitled to prior to that reclassification.

Legislative History: Resolution No. 2016-XXX, November 2016, Resolution No. 2014-115, Jul 2014



RESOLUTION NO: 2016-278

ADDING POLICY BENEFITS/ELIGIBILITY SHEETS

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors has previously approved policies affecting team member benefits for Governmental, Enterprise and Casino Team Member Manuals; and

WHEREAS, the Policy Benefits/Eligibility Sheets are to be added to the Governmental, Enterprise and Casino Team Member Manuals, as attached page 1 through 7.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors adds the Policy Benefits/Eligibility Sheets to the Governmental, Enterprise and Casino Team Member Manuals, as attached on pages 1 through 7 beginning on November 22, 2016.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 3 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment
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Policy Benefits/Eligibility Sheet - Casino

Benefits	Employee Status	Time Allowed	Eligibility
<u>Vacation</u>	Exempt/ Salaried Non-Exempt	Initial: 15 Days After five years: 20 Days After ten years: 25 Days After fifteen years: 30 Day	Completion of Introductory period
	Non-Exempt	Initial: 10 Days After five years: 15 Days After ten years: 20 Days After fifteen years: 25 Days	
	Non-Exempt Supervisors	Initial: 12 Days After five years: 17 Days After ten years: 22 Days After fifteen years: 28 Days	
<u>Sick</u>	Exempt and Non- Exempt	4 days per year	Upon Hire
<u>Holidays</u>		Easter Memorial Day Independence Day Labor Day Thanksgiving Christmas Eve Christmas Day	
<u>Personal Days</u>		Full Time: 2 days Part Time: 1 day	One Year One Year
<u>Premium Pay</u>		Double time for Non Exempt/Hourly Team Members who work the following holidays: New Years Eve (5pm to 11:59pm) New Years Day (all day)	

ELIGIBILITY NOTES:

Full Time, Regular Team Members – 30 hours or more per week, eligible for all benefits once eligibility requirements have been met.

Part Time, Regular Team Members – less than 30 hours per week, eligible for vacation and sick, if applicable, on reduced accrual rate, holiday and premium pay.

On Call Team Members – ineligible for benefits except premium pay where applicable.

Temporary Team Members – hired for pre-established period (less than 6 months), may be full or part time, ineligible for benefits except premium pay where applicable.

Season Team Members – hired for seasonal positions, may be full or part time, holiday and premium pay where applicable.

Policy Benefits/Eligibility Sheet - Governmental

Benefits	Employee Status	Time Allowed	Eligibility
<u>Vacation</u>	Exempt/ Salaried Non-Exempt	15 days per year, with one additional day per year thereafter, not to exceed 30 days.	Completion of Introductory Period
	Non-Exempt	10 days per year, with one additional day per year thereafter, not to exceed 30 days.	
<u>Sick</u>	Exempt/Non-Exempt	12 days per year	Upon Hire
<u>Holidays</u>		New Years Day Good Friday American Indian Day Memorial Day Independence Day Labor Day National American Indian Day Joseph K. Lumsden Day Thanksgiving (Thurs. and Fri.) Christmas Eve Christmas Day	
<u>Premium Pay</u>		Double time for Non Exempt/Hourly Team Members who work Easter Sunday.	

ELIGIBILITY NOTES:

Full Time, Regular Team Members – 30 hours or more per week, eligible for all benefits once eligibility requirements have been met.

Part Time, Regular Team Members – less than 30 hours per week, eligible for vacation and sick, if applicable, on reduced accrual rate, holiday and premium pay.

On Call Team Members – ineligible for benefits except premium pay where applicable. **Temporary Team Members** – hired for pre-established period (less than 6 months), may be full or part time, ineligible for benefits except premium pay where applicable.

Season Team Members – hired for seasonal positions, may be full or part time, holiday and premium pay where applicable.

Policy Benefits/Eligibility Sheet - Housing

Benefits	Employee Status	Time Allowed	Eligibility
<u>Vacation</u>	Exempt/ Salaried Non- Exempt	15 days per year, with one additional day per year thereafter; not to exceed 30 days.	Completion of Introductory Period
	Non-Exempt	10 days per year, with one additional day per year thereafter; not to exceed 30 days	
<u>Sick</u>	Exempt and Non-Exempt	12 days per year	Upon Hire
<u>Holidays</u>		New Years Day Good Friday American Indian Day Memorial Day Independence Day Labor Day National American Indian Day Joseph K. Lumsden Day Thanksgiving (Thurs. and Fri.) Christmas Eve Christmas Day	
<u>Premium Pay</u>		Double time for Non Exempt/Hourly Team Members who work Easter Sunday.	

ELIGIBILITY NOTES:

Full Time, Regular Team Members – 30 hours or more per week, eligible for all benefits once eligibility requirements have been met.

Part Time, Regular Team Members – less than 30 hours per week, eligible for vacation and sick, if applicable, on reduced accrual rate, holiday and premium pay.

On Call Team Members – ineligible for benefits except premium pay where applicable. **Temporary Team Members** – hired for pre-established period (less than 6 months), may be full or part time, ineligible for benefits except premium pay where applicable.

Seasonal Team Members – hired for seasonal positions, may be full or part time, holiday and premium pay where applicable.

Policy Benefits/Eligibility Sheet - Field Workers
Sault Tribe Construction & Housing Construction Field Workers

<u>Benefits</u>	<u>Time Allowed</u>	<u>Eligibility</u>
<u>Leave</u>		Completion of Introductory Period

Construction field workers are not eligible for vacation, sick or holiday. They receive 5 days of leave per year. After two consecutive calendar years of employment working at least 1000 hours per year, field workers' leave will increase to 10 days per year beginning January 1 of the third year of employment.

ELIGIBILITY NOTES:

Full Time, Regular Team Members – 30 hours or more per week, eligible for all benefits once eligibility requirements have been met.

Part Time, Regular Team Members – less than 30 hours per week, eligible for vacation and sick, if applicable, on reduced accrual rate, holiday and premium pay.

On Call Team Members – ineligible for benefits except premium pay where applicable. **Temporary Team Members** – hired for pre-established period (less than 6 months), may be full or part time, ineligible for benefits except premium pay where applicable.

Season Team Members – hired for seasonal positions, may be full or part time, holiday and premium pay where applicable.

Policy Benefits/Eligibility Sheet - MidJim

Benefits	Employee Status	Time Allowed	Eligibility
<u>Vacation</u>	Exempt/ Salaried Non-Exempt	10 days per year, with one additional day per year (Not to exceed 20 days per year.)	Completion of Introductory period
	Non-Exempt	Initial: 5 Days After three years: 10 Days After seven years: 15 Days	
<u>Sick</u>	Exempt	5 days per year	Upon Hire
	Non-Exempt	N/A	
<u>Holidays</u>	Exempt	New Years Day Good Friday Easter Memorial Day Independence Day Labor Day Joseph K. Lumsden Day Thanksgiving (Thurs. & Fri.) Christmas Eve Christmas Day	
	Non-Exempt	Good Friday Christmas Eve Christmas Day	
<u>Premium Pay</u>		New Years Eve (5pm to 11:59pm) New Years Day (all day) Easter Memorial Day Independence Day Labor Day Thanksgiving Day	Double time for Non Exempt/Hourly Team Members who work

ELIGIBILITY NOTES:

Full Time, Regular Team Members – 30 hours or more per week, eligible for all benefits once eligibility requirements have been met.

Part Time, Regular Team Members – less than 30 hours per week, eligible for vacation and sick, if applicable, on reduced accrual rate, holiday and premium pay.

On Call Team Members – ineligible for benefits except premium pay where applicable.

Temporary Team Members – hired for pre-established period (less than 6 months), may be full or part time, ineligible for benefits except premium pay where applicable.

Seasonal Team Members – hired for seasonal positions, may be full or part time, holiday and premium pay where applicable.

Policy Benefits/Eligibility Sheet - Demawating and Sawyer Village

Benefits	Employee Status	Time Allowed	Eligibility
<u>Vacation</u>	Exempt/ Salaried Non-Exempt	10 days per year, with one additional day per year thereafter, not to exceed 20 days.	Completion of Introductory period
	Non-Exempt	5 days per year, with one additional day per year thereafter, not to exceed 15 days.	
<u>Sick</u>	Exempt	12 days per year	Upon Hire
	Non-Exempt	10 days per year	
<u>Holidays</u>		New Years Day Good Friday Memorial Day Independence Day Labor Day Joseph K. Lumsden Day Thanksgiving (Thurs. and Fri.) Christmas Eve Christmas Day	

ELIGIBILITY NOTES:

Full Time, Regular Team Members – 30 hours or more per week, eligible for all benefits once eligibility requirements have been met.

Part Time, Regular Team Members – less than 30 hours per week, eligible for vacation and sick, if applicable, on reduced accrual rate, holiday and premium pay.

On Call Team Members – ineligible for benefits except premium pay where applicable. **Temporary Team Members** – hired for pre-established period (less than 6 months), may be full or part time, ineligible for benefits except premium pay where applicable.

Season Team Members – hired for seasonal positions, may be full or part time, holiday and premium pay where applicable.

Policy Benefits/Eligibility Sheet - Northern Hospitality

Benefits	Employee Status	Time Allowed	Eligibility
<u>Vacation</u>	Exempt and Non-Exempt	Initial: 5 Days After three years: 10 Days After seven years: 15 Days	Completion of Introductory period
<u>Sick</u>	Exempt and Non-Exempt	5 days per year	Upon Hire
<u>Holidays</u>	Exempt and Non-Exempt	New Years Day Good Friday Easter Memorial Day Independence Day Labor Day Thanksgiving Day Christmas Eve Christmas Day	

ELIGIBILITY NOTES:

Full Time, Regular Team Members – 30 hours or more per week, eligible for all benefits once eligibility requirements have been met.

Part Time, Regular Team Members – less than 30 hours per week, eligible for vacation and sick, if applicable, on reduced accrual rate, holiday and premium pay.

On Call Team Members – ineligible for benefits except premium pay where applicable. **Temporary Team Members** – hired for pre-established period (less than 6 months), may be full or part time, ineligible for benefits except premium pay where applicable.

Seasonal Team Members – hired for seasonal positions, may be full or part time, holiday and premium pay where applicable.



RESOLUTION NO: 2016-279

AMENDING TRIBAL BOARD TRAVEL POLICY

WHEREAS, this Board of Directors has directed that travel outside of the seven-county-service-area by any member of the Board of Directors must be pre-approved by the Board of Directors; and

WHEREAS, this Board has determined that this process is inconvenient and impractical for the purposeful operation of the Board's duties, and does not comport with the intent of 2012-215; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby rescinds Resolution 2012-216.

BE IT FINALLY RESOLVED, that all future Board Member travel information shall continue to be made available to the membership upon request.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 8 members for, 4 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

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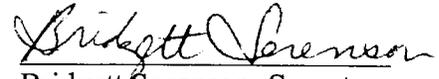
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**Government
Services**

**Membership
Services**

**Economic
Development
Commission**


Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians


Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2016-280

IMPLEMENTATION OF ANNUAL COLA FOR TEAM MEMBERS

WHEREAS, on December 8, 2015, the Board of Directors adopted Resolution 2015-264 authorizing a 3% Cost of Living Allowance (COLA) for FY 2016 applicable to all employees of tribal government, the Kewadin Casinos Gaming Authority, and tribal enterprises; and

WHEREAS, Resolution 2015-264 further mandated that a similar COLA be calculated based on the Consumer Price Index (CPI) and that it be included and implemented in the FY 2017 budget and in all future annual budgets for all employees of tribal government, the Kewadin Casinos Authority, and tribal enterprises; and

WHEREAS, the Board has concluded that it is in the best interests of the Tribe, and of its members and employees, to provide further direction to guide the calculation and implementation of those future COLA increases.

NOW, THEREFORE, BE IT RESOLVED, that in calculating and implementing the annual COLA increases for all employees under Resolution 2015-264, the following criteria shall be applied:

- 1) Any annual COLA shall take effect for the pay period that includes January 1 of each calendar year;
- 2) The amount of the COLA to take effect each January shall be based upon the annual CPI-U (Consumer Price Index for all Urban Consumers) published by the United States Bureau of Labor Statistics for the month of January of the prior calendar year and shall be calculated by determining the percentage of increase in the CPI-U for the 12 month period preceding that prior January;
- 3) The amount of the COLA shall not exceed 3% in any one fiscal year;
- 4) In the event that the COLA calculation results in a negative number, the COLA for the subsequent year shall be deemed to be zero so as to avoid any adverse impact on employee salaries and wages.

BE IT FINALLY RESOLVED, the foregoing criteria shall also apply to the calculation and implementation of COLA increases for employees who comprise the HORNE group effective with the COLA increases scheduled to take effect on January 1, 2017.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 1 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians


Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

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Government Services

Membership Services

Economic Development Commission



RESOLUTION NO: 2016-281

IMPLEMENTATION OF FAIR LABOR STANDARDS ACT MINIMUM WAGE AND OVERTIME PAY PROTECTIONS

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WHEREAS, the Fair Labor Standards Act (FLSA) requires employers to pay overtime or compensatory time to certain employees for hours worked in excess of 40 hours per week but exempts employees who earn at least \$455 per week or \$23,660 per year provided that those employees whose duties meet certain other criteria generally related to management responsibilities and discretion; and

WHEREAS, at the direction of the President, the Department of Labor recently published a Final Rule that substantially increases the salary levels needed for workers to be classified as “exempt” from the overtime requirements of the FLSA, increasing that minimum salary level to \$913 per week or \$47,476 annually for a full-year worker effective December 1, 2016; and

WHEREAS, the Board of Directors has directed that it is in the best interest of the Tribe, its members, and its employees for the Tribe to continue the Tribe’s existing policy and practice of voluntarily complying with the FLSA and to make such changes as may be necessary and appropriate to comply with the newly adopted Final Rule now as well as with the future automatic updates that are contemplated by the Final Rule; and

WHEREAS, the Tribe has determined that a number of team members whose positions are currently classified as “exempt” will become “non-exempt” because their salaries are less than the new minimum that will be required for “exempt” status effective December 1, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby directs that compliance with the new FLSA Final Rule shall be implemented in the following manner:

1. All team members holding positions currently designated as “exempt” shall continue to be designated as “exempt” so long as the team member’s salary remains at or above the minimum threshold established by the FLSA Final Rule and so long as the duties of the position otherwise continue to meet the requirements of the FLSA.
2. All team members holding positions currently designated as “exempt” whose salary is less than the minimum threshold established by the FLSA Final Rule shall be designated as “salaried non-exempt”. Team members designated as “salaried non-exempt” shall continue to be treated as salaried employees with respect to their basic 40 hour work week but shall be entitled to receive overtime pay (or, in the case of governmental team members, compensatory time in lieu of overtime) for any hours worked in excess of 40 hours per week.
3. Any team member designated as “salaried non-exempt” as a result of this process shall immediately be returned to “exempt” status if and when that team member’s salary again exceeds the minimum threshold level specified under the FLSA from time to time provided that the duties of the team member’s position continue to meet the other requirements for “exempt” status under the FLSA.

4. Managers of “salaried non-exempt” team members are expected to manage the work schedules of their team members so as to assure compliance both with the constraints of their respective budgets and with FLSA’s requirements regarding payment of overtime and/or compensatory time (where available) for hours worked in excess of 40 hours per week. In the event that the designation of a particular position as “salaried non-exempt” creates significant budgetary or management issues, it is the responsibility of that manager to bring an appropriate budget modification or other proposed solution to the Board of Directors for its consideration.

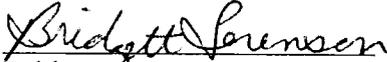
5. Notwithstanding the preceding paragraph, the Board recognizes that compliance with the new FLSA standards taking effect on December 1 may pose a unique challenge for a few managers in certain areas who may have no realistic alternative to authorizing at least limited overtime to certain “salaried non-exempt” team members whose services are vital to the delivery of critical tribal services. The Board further recognizes that there may be no realistic way for such managers to bring these issues before the Board prior to January of 2017. In such circumstances, those managers are expected to comply with the FLSA requirements but shall consult with and take direction from the Tribal Chairperson or, in the case of casino managers, from the Casino CEO, and shall bring an appropriate budget modification or other proposed solution to the Board of Directors as soon as is reasonably possible after the problem has been identified.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 22 day of November 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 3 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians



Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians