

ROLL CALL MATRIX

Meeting Date: 7-29-2020

P	A	Res. Number 2020	172	173	174	175	176		
		Unanimous	U	U	U				
X		Michael McKerchie	Y	Y	Y	Y	Y		
X		Kim Gravelle	2Y	Y	Y	2Y	Y		
X		Betty Freiheit	Y	2Y	Y	Y	Y		
X		DJ Hoffman	1Y	Y	Y	Y	1Y		
X		Austin Lowes	Y	Y	Y	Y	Y		
X		Lana Causley	Y	Y	1Y	1Y	Y		
X		Cath Hollowell	Y	1Y	Y	Y	Y		
X		Bridgett Sorenson	Y	Y	Y	A	A		
X		Keith Massaway	Y	Y	Y	Y	2Y		
X		Denise Chase	Y	Y	Y	Y	Y		
X		Darcy Morrow	Y	Y	2Y	A	A		
X		Charles Matson	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: 2020-172

**APPROVAL AND AUTHORIZATION OF SPORTS BOOK AGREEMENT,
AND LIMITED WAIVER OF SOVEREIGN IMMUNITY AND CONSENT
TO WAIVER OF TRIBAL COURT JURISDICTION THEREIN**

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NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors (the "Board of Directors") hereby authorizes and approves the "Sports Book Agreement" attached hereto and incorporated within, between the Kewadin Casinos Gaming Authority ("Gaming Authority") and GAN Nevada, Inc. ("GAN")

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the Chairperson of the Kewadin Casinos Gaming Authority Management Board, or in his absence the Vice-Chairperson, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

BE IT FURTHER RESOLVED, that the Board of Directors hereby grants a limited waiver of the Gaming Authority's sovereign immunity from suit in favor of the "Sports Book Agreement" (the "Agreement") only should an action be commenced to enforce the Agreement, subject to the following conditions:

This waiver:

- i) shall terminate upon performance by the Gaming Authority of all of its obligations under the Agreement or as otherwise provided in the Agreement,
- ii) is granted solely to GAN for purposes of the Agreement;
- iii) shall extend to inter alia, any judicial or non-judicial action as agreed upon in the Agreement, including, but not limited to, any lawsuit, arbitration, and judicial or non-judicial action as agreed upon in the Agreement to resolve disputes between the Gaming Authority and GAN to enforce the obligations under the Agreement;
- iv) shall be enforceable only in a court of competent jurisdiction including the United States Bankruptcy Court or any arbitrator or arbitration panel, pursuant to the terms of the Agreement; and
- v) shall be enforceable against all assets of the Gaming Authority to the extent necessary to satisfy the Gaming Authority's obligation under the Agreement.

vi) is included pursuant to the Agreement's provisions that the Agreement shall be construed in accordance with and governed by the laws of the State of Michigan, as set forth in the Agreement. The Gaming Authority expressly consents to the jurisdiction of the state courts of Michigan and the U.S. District Court for the Western District of Michigan, or in the absence of such jurisdiction, an appropriate court of competent jurisdiction, including any courts to which decisions may be appealed, with respect to any controversies arising from this resolution and the Agreement.

BE IT FURTHER RESOLVED, that the Board of Directors expressly grants this limited waiver of jurisdiction of the Tribal Court over any action arising related to enforcement by GAN or Kewadin Casinos Gaming Authority of the Agreement pursuant to the provisions of Section 44.107 of the Tribal Code.

BE IT FURTHER RESOLVED, that this Resolution and the limited waiver it entails shall become automatically void, without further action of the Board of Directors or Kewadin Casinos Gaming Authority, on the later of (i) one year following the termination of the Agreement or (ii) two years after the claim accrues or is discovered upon the exercise of due diligence, except that the waiver shall remain effective for any proceedings then pending, and all appeals therefrom, until such proceedings are completed and such appeals exhausted, pursuant to the terms of the 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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 29 day of July 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 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: 2020-173

**FEDERAL CARES – ENTERPRISE/CASINO, DIRECT SERVICES
AND GOVERNMENTAL
FY 2020 BUDGET MODIFICATIONS**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby rescinds Resolution #2020-145 Governmental Facilities COVID Capital Expenditures.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby rescinds Resolution #2020-146 Casino COVID Capital Expenditures.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby amends Resolution #2020-168 COVID-19 Disaster Relief Program to correct the 19% to 25% reduction.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Enterprise and Casino budgets for a decrease in Federal Cares monies of \$7,026,500.00. 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 2020 budget modification to Direct Services for an increase in Federal Cares monies of \$10,515,286.42. No effect on Tribal Support.

BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Governmental for a decrease in Federal Cares monies of \$3,488,786.42. 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 29 day of July 2020; 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
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RESOLUTION NO: 2020-174

**COVID-19
EMERGENCY LEAVE POLICY**

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BE IT RESOLVED, that the Board of Directors hereby approves the attached COVID-19 Emergency Leave Policy.

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 29 day of July 2020; 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

DRAFT

COVID-19 EMERGENCY LEAVE POLICY

PURPOSE:

The Sault Ste. Marie Tribe of Chippewa Indians is committed to the protection of its team members. The Tribe effectively responds to emergencies, with the foremost goals of preserving life, protecting the organization's property, and restoring operations as quickly and safely as possible.

The COVID-19 Emergency Leave Policy is enacted to address the COVID-19 public health emergency. The purpose of this policy is to ensure the Sault Ste. Marie Tribe of Chippewa Indians effectively responds to protect team members during the COVID-19 pandemic.

SCOPE:

This policy applies to all team members and will expire on December 30, 2020.

POLICY:

The COVID-19 pandemic is an unplanned and imminent event that affects and threatens the health, safety, and welfare of the team members of the Tribe. The Tribe realizes that employees need time off due to COVID-19 issues that may arise besides normal sick time or vacation time.

COVID-19 EMERGENCY LEAVE:

A team member will have COVID-19 Emergency Leave available to them. A team member's manager or supervisor will approve the team member's request for COVID-19 Emergency Leave. COVID-19 Emergency leave will be available to all team members who are unable to work or telework due to a need for leave because:

1. The team member is subject to a Federal, State, local or Tribal quarantine or isolation order related to COVID-19.
2. The team member has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The team member is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. Involuntary travel to an area that requires a team member to quarantine after return, such as attending a funeral or other emergency travel. Reference COVID-19 Team Member Travel Policy for voluntary travel.
5. The team member is caring for an individual who is subject to an order as described in paragraph (1) or has been advised, as described in paragraph (2).

Team members must stay in communication as required by their Supervisor during any COVID-19 Emergency Leave. This communication must include documentation of the need for COVID-19 Emergency Leave.

DRAFT

Any sick or vacation time used by a team member before this policy is approved that is COVID-19 related and falls under one of the uses of this policy will be reimbursed for the sick or vacation time they used with executive approval

Any team member found inappropriately using COVID-19 Emergency Leave will be subject to reprimand, which could include loss of sick or vacation time for COVID-19 Emergency Leave used or possible termination.

Emergency Employment Separation:

In the event that a team member is unable to perform job duties due to being high risk or other documented family or medical concerns about the COVID-19 pandemic, the Tribe will take all reasonable steps to accommodate the team member to find a process to allow them to continue working. If no process can be developed the Tribe shall work with the team member to try to reach an agreed-upon separation process that would accommodate the team member with an opportunity for future employment with the Tribe in a similar position

Team members eligible for COVID-19 Emergency Leave may elect to resign from their position.



RESOLUTION NO: 2020-175

**GLOBAL CORONAVIRUS (COVID-19) PANDEMIC
EMERGENCY TEMPORARY HAZARD PAY POLICY**

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BE IT RESOLVED, that the Board of Directors hereby approves the attached Global Coronavirus (Covid-19) Pandemic Emergency Temporary Hazard Pay Policy.

BE IT FURTHER RESOVLED, the total amount shall be reported to the Board of Directors before implementation.

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 29 day of July 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 2 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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SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS
GLOBAL CORONAVIRUS (COVID-19) PANDEMIC EMERGENCY
TEMPORARY HAZARD PAY POLICY

SECTION 1. INTRODUCTION

1.1. On March 13, 2020, the President of the United States issued a Proclamation “Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak.” On March 10, 2020, the Governor of Michigan declared a state of emergency for Michigan in response to the novel coronavirus (COVID-19) public health crisis. On March 17, 2020, the Board of Directors of the Tribe declared a state of emergency as a result of the pandemic. The Sault Ste. Marie Tribe of Chippewa Indians (Tribe) continues to respond to the developing situation of the COVID-19 pandemic.

1.2. This policy is enacted due to the unexpected and extraordinary circumstances caused by the COVID-19 pandemic that has created a public health emergency.

SECTION 2. PURPOSE AND SCOPE

2.1. This Hazard Pay Policy is intended to provide supplemental compensation to employees who undertake additional risk related to COVID-19 in carrying out their duties. Hazard pay is distinct from and does not impact overtime pay.

SECTION 3. TEMPORARY HAZARD PAY

3.1. In order for an employee to be eligible for hazard pay, the following criteria must be met:

3.1.1 The employee’s job duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

3.1.2 Those employees who have been determined to meet the above criteria are listed on the attached Schedule of Eligible Employees. The Tribe expressly reserves the right to amend this Schedule on an ongoing and as needed basis.

3.2. The hazard pay rate shall be \$2 an hour, during which hazard pay is applicable under Sections 3.1 and 3.2, excluding any time periods the employee was working remotely, on paid leave or receiving unemployment benefits.

SECTION 4. NO WAIVER OF SOVEREIGN IMMUNITY

4.1. The Tribe’s adoption of this Hazard Pay Policy is in no way intended to waive or reduce the Tribe’s status as a sovereign governmental entity, immune from suit, claims, execution, judgment, or other liability, or the immunity of tribal officials, agents, and employees.

SECTION 5. TERM AND AMENDMENT

5.1 This Temporary Hazard Pay Policy is effective as of March 17, 2020. It will remain in effect until December 30, 2020, unless it is amended, superseded, or otherwise revoked.

5.2 This policy is subject to revision as circumstances change.

Sault Tribe COVID-19 Temporary Hazard Pay Policy

Schedule of Eligible Employees

Only public employees who have job duties related to addressing the COVID-19 public health crisis and are required experience increased exposure to COVID related risks shall be eligible for hazard pay under this policy.

Category 1

All public safety, public health, health care, human services, and similar governmental employees who are directly responding to the COVID-19 public health crisis are presumed to be exposed to increased exposure to COVID related risks and shall be eligible for Hazard Pay. These employees include, but are not limited to:

- Security and law enforcement employees
- Emergency management employees
- Medical services employees
- Tribal Court employees
- Sanitation or janitorial employees

Category 2

All public employees who have had their normal job duties substantially diverted to addressing COVID-19 related matters and experience increased exposure to COVID related risks and shall be eligible for Hazard Pay. These employees shall be identified and selected by Department Directors, subject to review and approval by the Legal Department, to include, but not limited to:

[Supplement / Replace with list being developed in conjunction with Department Directors, subject to review and approval by the Legal Department]

- Food distribution employees
- IT employees
- Administration and Accounting employees
- Employees carrying out public assistance programs



RESOLUTION NO: 3020-176

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**ENTERPRISES
GLOBAL CORONAVIRUS (COVID-19) PANDEMIC
EMERGENCY TEMPORARY APPRECIATION PAY POLICY**

BE IT RESOLVED, that the Board of Directors hereby approves the attached Enterprises Global Coronavirus (Covid-19) Pandemic Emergency Temporary Appreciation Pay Policy.

BE IT FURTHER RESOLVED, the total amount shall be reported to the Board of Directors before implementation.

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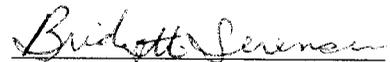
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CERTIFICATION

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 29 day of July 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 2 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

**SAULT STE. MARIE OF CHIPPEWA INDIANS ENTERPRISES
GLOBAL CORONAVIRUS (COVID-19) PANDEMIC EMERGENCY
TEMPORARY APPRECIATION**

SECTION 1. INTRODUCTION

1.1. On March 13, 2020, the President of the United States issued a Proclamation “Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak.” On March 10, 2020, the Governor of Michigan declared a state of emergency for Michigan in response to the novel coronavirus (COVID-19) public health crisis. On March 17, 2020, the Board of Directors of the Tribe declared a state of emergency as a result of the pandemic. ENTERPRISES continues to respond to the developing situation of the COVID-19 pandemic.

1.2. This policy is enacted due to the unexpected and extraordinary circumstances caused by the COVID-19 pandemic that has created a public health emergency.

SECTION 2. PURPOSE AND SCOPE

2.1. This Appreciation Pay Policy is intended to provide supplemental compensation to employees who undertake additional risk related to COVID-19 in carrying out their duties. Appreciation pay is distinct from and does not impact overtime pay.

SECTION 3. TEMPORARY APPRECIATION PAY

3.1. In order for an employee to be eligible for appreciation pay, the following criteria must be met:

- 3.1.1** The employee’s job duties are substantially dedicated to mitigating or working/responding to the COVID-19 public health emergency.
- 3.1.2** Those employees who have been determined to meet the above criteria are listed on the attached Schedule of Eligible Employees. The Enterprises expressly reserves the right to amend this Schedule on an ongoing and as needed basis.

3.2. The appreciation pay rate shall be \$2 an hour, during which hazard pay is applicable under Sections 3.1 and 3.2, excluding any time periods the employee was working remotely, on paid leave or receiving unemployment benefits.

SECTION 4. NO WAIVER OF SOVEREIGN IMMUNITY

4.1. The Tribe’s adoption of this Appreciation Pay Policy is in no way intended to waive or reduce the Tribe’s status as a sovereign governmental entity, immune from suit, claims, execution, judgment, or other liability, or the immunity of tribal officials, agents, and employees.

SECTION 5. TERM AND AMENDMENT

5.1 This Temporary Appreciation Pay Policy is effective as of March 17, 2020. It will remain in effect until December 30, 2020, unless it is amended, superseded, or otherwise revoked.

5.2 This policy is subject to revision as circumstances change.

Sault Tribe COVID-19 Temporary Hazard Pay Policy

Schedule of Eligible Employees

Only public employees who have job duties related to addressing the COVID-19 public health crisis and are required experience increased exposure to COVID related risks shall be eligible for hazard pay under this policy.

Category 1

All public safety, public health, health care, human services, and similar governmental employees who are directly responding to the COVID-19 public health crisis are presumed to be exposed to increased exposure to COVID related risks and shall be eligible for Hazard Pay. These employees include, but are not limited to:

- Security and law enforcement employees
- Emergency management employees
- Medical services employees
- Tribal Court employees
- Sanitation or janitorial employees

Category 2

All public employees who have had their normal job duties substantially diverted to addressing COVID-19 related matters and experience increased exposure to COVID related risks and shall be eligible for Hazard Pay. These employees shall be identified and selected by Department Directors, subject to review and approval by the Legal Department, to include, but not limited to:

[Supplement / Replace with list being developed in conjunction with Department Directors, subject to review and approval by the Legal Department]

- Food distribution employees
- IT employees
- Administration and Accounting employees
- Employees carrying out public assistance programs



RESOLUTION NO: 2020-18

**KEWADIN CASINOS
GLOBAL CORONAVIRUS (COVID-19) PANDEMIC
EMERGENCY TEMPORARY APPRECIATION PAY POLICY**

**Kewadin Casinos
Gaming Authority**

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BE IT RESOLVED, that the Board of Directors hereby approves the attached Kewadin Casinos Global Coronavirus (Covid-19) Pandemic Emergency Temporary Appreciation Pay Policy.

BE IT FURTHER RESOLVED, the total amount shall be reported to the Management Board of the Kewadin Casinos.

CERTIFICATION

Passed and adopted by the Kewadin Casinos Gaming Authority, this 29 day of July 2020.


Aaron A. Payment, Chairperson
Kewadin Casinos Gaming Authority

KEWADIN CASINOS

GLOBAL CORONAVIRUS (COVID-19) PANDEMIC EMERGENCY

TEMPORARY APPRECIATION

SECTION 1. INTRODUCTION

1.1. On March 13, 2020, the President of the United States issued a Proclamation “Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak.” On March 10, 2020, the Governor of Michigan declared a state of emergency for Michigan in response to the novel coronavirus (COVID-19) public health crisis. On March 17, 2020, the Board of Directors of the Tribe declared a state of emergency as a result of the pandemic. Kewadin Casinos continues to respond to the developing situation of the COVID-19 pandemic.

1.2. This policy is enacted due to the unexpected and extraordinary circumstances caused by the COVID-19 pandemic that has created a public health emergency.

SECTION 2. PURPOSE AND SCOPE

2.1. This Appreciation Pay Policy is intended to provide supplemental compensation to employees who undertake additional risk related to COVID-19 in carrying out their duties. Appreciation pay is distinct from and does not impact overtime pay.

SECTION 3. TEMPORARY APPRECIATION PAY

3.1. In order for an employee to be eligible for appreciation pay, the following criteria must be met:

3.1.1 The employee’s job duties are substantially dedicated to mitigating or working/responding to the COVID-19 public health emergency.

3.1.2 Those employees who have been determined to meet the above criteria are listed on the attached Schedule of Eligible Employees. The Kewadin casino expressly reserves the right to amend this Schedule on an ongoing and as needed basis.

3.2. The appreciation pay rate shall be \$2 an hour, during which hazard pay is applicable under Sections 3.1 and 3.2, excluding any time periods the employee was working remotely, on paid leave or receiving unemployment benefits.

SECTION 4. NO WAIVER OF SOVEREIGN IMMUNITY

4.1. The Tribe’s adoption of this Appreciation Pay Policy is in no way intended to waive or reduce the Tribe’s status as a sovereign governmental entity, immune from suit, claims, execution, judgment, or other liability, or the immunity of tribal officials, agents, and employees.

SECTION 5. TERM AND AMENDMENT

5.1 This Temporary Appreciation Pay Policy is effective as of March 17, 2020. It will remain in effect until December 30, 2020, unless it is amended, superseded, or otherwise revoked.

5.2 This policy is subject to revision as circumstances change.

Sault Tribe COVID-19 Temporary Hazard Pay Policy

Schedule of Eligible Employees

Only public employees who have job duties related to addressing the COVID-19 public health crisis and are required experience increased exposure to COVID related risks shall be eligible for hazard pay under this policy.

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- Security and law enforcement employees
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- Medical services employees
- Tribal Court employees
- Sanitation or janitorial employees

Category 2

All public employees who have had their normal job duties substantially diverted to addressing COVID-19 related matters and experience increased exposure to COVID related risks and shall be eligible for Hazard Pay. These employees shall be identified and selected by Department Directors, subject to review and approval by the Legal Department, to include, but not limited to:

[Supplement / Replace with list being developed in conjunction with Department Directors, subject to review and approval by the Legal Department]

- Food distribution employees
- IT employees
- Administration and Accounting employees
- Employees carrying out public assistance programs