

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(AN UNINCORPORATED TRIBE)

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE AMENDING THE OGLALA SIOUX TRIBE'S PERSONNEL POLICIES AND PROCEDURES MANUAL, ORDINANCE NO. 18-22, AS AMENDED, TO REMOVE POLITICAL APPOINTEES FROM THE MANUAL AND TO CALL FOR THE DEVELOPMENT OF A SEPARATE MANUAL GOVERNING PERSONNEL MATTERS RELATING TO POLITICAL APPOINTEES.

WHEREAS, the Oglala Sioux Tribe adopted its Constitution and By-Laws by referendum vote on December 14, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123), and under Article III of the Constitution, the Oglala Sioux Tribal Council is the governing body of the Oglala Sioux Tribe, and

WHEREAS, Article IV, Sections 1(f), 1(k), 1(m), and 1(w) empower the Tribal Council to manage the economic affairs of the Tribe, protect and preserve the property of the Tribe, adopt laws governing the conduct of persons on the Pine Ridge Indian Reservation, and adopt laws protecting and promoting the health and general welfare of the Tribe and its members, and

WHEREAS, in the exercise of these powers, the Tribal Council enacted the Oglala Sioux Tribe Personnel Policies and Procedures Manual ("Manual") by Ordinance No. 18-22, on August 16, 2018, and since that time, the Tribal Council has enacted ordinances amending the Manual, and

WHEREAS, by motion and vote, on January 24, 2021, the Economic and Business Development Committee of the Tribal Council recommended amending the Manual to remove political appointees from application of the Manual, and to establish a separate manual to govern personnel matters relating to political appointees, and

WHEREAS, the Tribal Council agrees with the recommendation of the Economic and Business Development Committee and has determined that it is in the best interests of the Tribe and its members to amend the Manual to remove political appointees, and to establish a separate manual to govern personnel matters relating to political appointees; now

THEREFORE, BE IT ORDAINED, that the Oglala Sioux Tribal Council does hereby amend Ordinance No. 18-22, as follows:

- Section 1-4(b)(2) is amended to include the words "except as set forth in Chapters 4 and 34" after the words "Political Appointees".

- Section 12-14(a) is amended to strike the words "and all political appointees".
- Section 21-1(a) is amended to strike the words "(temporary, merit, seasonal, emergency or political)".
- Section 24-2(c) is amended to strike the words "and Political Appointee".
- Section 34-1(e) is stricken.
- Section 34-2(a) is amended to read as follows: "Tribal President. The Tribal President shall have supervisory and disciplinary authority over all political appointees in the Tribal President's Office and all other employees in the Tribal President's Office."
- Section 34-2(b) is amended to read as follows: "Tribal Vice-President. The Tribal Vice-President shall have supervisory and disciplinary authority over all employees in the Tribal Vice-President's Office and all political appointees in the Tribal Vice-President's Office."
- Section 34-2(c) is amended to read as follows: "Tribal Secretary. The Tribal Secretary shall have supervisory and disciplinary authority over all employees in the Tribal Secretary's office, all political appointees in the Tribal Secretary's Office, and all Tribal Council Committee Secretaries, Filing Clerks, and Records (Archives) Clerks. Tribal Council Committee Chairs and Vice-Chairs shall have authority to recommend discipline of Tribal Council Committee Secretaries to the Tribal Secretary."
- Section 34-2(e) is amended to read as follows: "Tribal Fifth Member. The Tribal Fifth Member shall have supervisory and disciplinary authority over all employees in the Tribal Fifth Member's Office and all political appointees in the Tribal Fifth Member's Office."

- Section 34-3 is amended as follows:

"Section 34-3. Application of Manual to Certain Political Appointees.

(a) The following provisions of this Manual shall apply to the Chief of Staff and political appointees in the Office of the Chief of Staff: Chapters 2, 4, 11, 11A, 12, 15-21, 22, and 31, and Section 30-1.

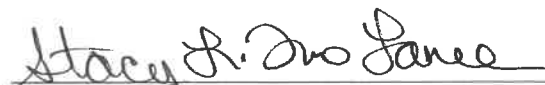
(b) The following provisions of this Manual shall apply to all political appointees: Chapters 11, 11A, and 12 (urinalysis only)."

BE IT FURTHER ORDAINED, that the Economic and Business Development Committee of the Tribal Council shall prepare an ordinance to govern personnel matters relating to political appointees and the Economic and Business Development shall bring that ordinance back to the Tribal Council at its next Regular Session, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately and shall supersede, repeal, and replace all prior, inconsistent laws of the Oglala Sioux Tribe.


C-E-R-T-I-F-I-C-A-T-I-O-N

I, as undersigned Secretary of the Tribal Council of the Oglala Sioux Tribe, hereby certify that this Ordinance was adopted by a vote of: 21 For; 0 Against; 0 Abstain; and 0 Not Voting; during a REGULAR SESSION held on the 26th day of JANUARY, 2021.



STACY L. TWO LANCE
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:



KEVIN KILLER
President
Oglala Sioux Tribe