

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council  
7500 Odawa Circle  
Harbor Springs MI 49740**

TRIBAL COUNCIL'S LEGISLATIVE DIRECTIVE #040821-01  
Amendment to Legislative Branch Operations Governmental Employee  
Personnel Policies Handbook #110917-01

In accordance with WOS 2015-019, Administrative Procedures Act, Tribal Council is authorized to use a "Legislative Directive" for operation of the Legislative Branch.

"Legislative Directive" means a directive issued by the Tribal Council that establishes basic internal rules of procedures, or guidelines for Tribal Council or Legislative employees and does not impact Tribal Citizens or entities out-side of the Legislative Branch.

Tribal Council has updated Legislative Branch Operations Governmental Employee Personnel Policies Handbook to update and clarify the Performance Evaluation process.

Tribal Council, through this Legislative Directive, approves this Amendment to Legislative Branch Operations Governmental Employee Personnel Policies Handbook #110917-01:

Insert the following as an addition to the handbook:

**SECTION XII. EMPLOYEE CONDUCT and WORK PROVISIONS**

24. Employees have an obligation to conduct themselves in accordance with the *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government* that was approved by Tribal Council on August 23, 2018. These Rules of Conduct set forth the following provisions:

**GENERAL STANDARDS OF CONDUCT**

No official or employee shall use, or attempt to use, any apparent authority of their office or duties which places, or could reasonably be perceived, as using public office for private gain for themselves, their business or another person, before those of a Tribal Citizen, whose paramount interests their office or employment is intended to serve.

a. No official or employee shall knowingly and independently use his or her position

with the tribe to access information, documents, or other materials which are not available to all Tribal citizens generally, unless such access is available as a part of their duties and/or position.

b. Participate in the selection, or in the award or administration of a contract supported by Federal funds and/or Tribal funds, if a conflict of interest, real or apparent, would be involved. A conflict of interest shall be deemed to arise when the official, employee or any member of their immediate family, or an organization or firm which employs such official or employee, or family member has a financial or other interest in the firm or person selected for the contract or grant award.

c. No official or employee, however, shall accept any benefit, income, favor or other form of compensation for the performance of the duties of any other office or employment not actually performed or for which such official or employee is not otherwise properly authorized or entitled to receive; strictly prohibit kickback, bribes, rebates or any kind of benefits intended to induce business benefits.

d. No official or employee shall disclose confidential information which he or she has acquired by reason of their position nor shall such information be use and/or disclosed to further their own economic and personal interest or that of anyone else.

e. No official or employee shall use, request, or permit the use of the Tribe's motor vehicles, equipment, materials, property or staff, except for the conduct of official business.

f. No official or employee shall solicit or accept for themselves, their family or another, any gift, including economic opportunity, favor, service, or loan (other than from a regular lending institution on generally available terms) or any other benefit from any person, organization or group of which, if the gift is an attempt to influence performance or nonperformance of the official's or employee's duties; to obtain a contract, grant, loan, employment, or any financial relationship from or within the Tribe; to create or influence a financial relationship with the Tribe; from a person or entity that regulates or inspects the Tribe; or is from a person or entity that is in a legal proceeding of which the Tribe is an adverse party. The following are not considered gifts and may be accepted by an official or employee:

1. Social hospitality based on personal relationships;
2. Modest items, such as food and refreshments, offered as a matter of social hospitality;
3. Greeting cards and items with little intrinsic value, such as plaques, certificates, and trophies, which are intended solely for presentation;

4. Rewards and prizes given in contests or events, including random drawings, that are open to the public and that are available based on factors other than official or employment status;
5. Scholarships or fellowships awarded on the same terms and based on the same criteria applied to other applicants;
6. Acceptance of an award for meritorious achievement from a charitable, religious, professional, recreational, social, fraternal, public service, or civic organization;
7. Acceptance of a plaque or memento of nominal value offered as a token of esteem or appreciation on the occasion of a speech or public appearance;
8. Small tokens or favors given to everyone attending a function or celebrating an occasion;
9. Traditional gifts; such as feathers, pouches and blankets.
10. Gifts from and obviously motivated by family or social relationships, as among immediate family members or family inheritances;

This Legislative Directive becomes effective upon the date of posting to the Little Traverse Bay Bands of Odawa Indians website and will remain in effect until rescinded by a subsequent Legislative Action.


### CERTIFICATION

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Legislative Directive was duly approved by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held April 8, 2021 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, 1 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 04/08/2021

  
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 Emily Proctor, Legislative Leader

Date: 04/08/2021

  
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 Julie Shananaquet, Secretary

