

Chapter 12. Ethics for All Levels of Tribal Government

14.1201 PURPOSE

The purpose of this statute is to set forth the adoption of the *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government*, the process for adjudicating ethical complaints by the various branches of government.

(Source: WOS 2018-018, September 24, 2018, Section I)

14.1202 DEFINITIONS

A. “Branch of Government” means the Executive, Judicial and Legislative Branches of government, including the Prosecutor and Election Board.

B. “Employee” means any person employed or performs work for an employer, works under contract of service, express or implied, whether temporary, full-time, Human Resources approved volunteer or apprenticeship.

C. “Official” means Tribal Councilor, Tribal Chair, Vice Chair, Judge or Justice, Prosecutor, or Election Board member, within the Little Traverse Bay Bands of Odawa Indians Tribal government for the purposes of this statute.

D. “Rules of Conduct” means the *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government*.

E. “Tribe”, “Tribal” or “LTBB” means the Little Traverse Bay Bands of Odawa Indians.

(Source: WOS 2018-018, September 24, 2018, Section II)

14.1203 CONSTITUTIONALLY MANDATED RULES OF CONDUCT

A. Tribal Council shall adopt *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government*, in accordance with the Little Traverse Bay Bands of Odawa Indians Tribal Constitution, Section Article VII, (D)(6), the Tribal Council shall have the power to: “*Adopt rules of conduct to govern all levels of Tribal government*”. The purpose of Rules of Conduct is to

establish clear standards for the principles and expectations that are binding on Tribal Officials and employees.

B. Any branch of government or agency may establish their own Rules of Conduct provided that they are as stringent as the *Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government*.

(Source: WOS 2018-018, September 24, 2018, Section III)

14.1204 COMPLAINTS

A. Each Branch of Government shall develop its own policy and procedures to address complaints by Tribal Citizens regarding Officials, Employees and any other sub-entity of that Branch of Government (Executive Committees, Commissions and Boards; Tribally Chartered Corporations). Such policies and procedures shall include, at a minimum, the following:

1. Timeframes
2. Complaint requirements
3. Remedies
4. Burden of proof
5. Hearings

B. All Policies and Procedures shall be submitted to Tribal Council for approval within one-hundred and twenty (120) calendar days from the enactment of this Statute.

(Source: WOS 2018-018, September 24, 2018, Section IV)

14.1205 SEVERABILITY

If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the

validity of the remaining portions thereof.

(Source: WOS 2018-018, September 24, 2018, Section V)

14.1206 EFFECTIVE DATE

This Statute takes effect immediately upon its enactment. Enactment of this Statute shall have no effect on the membership status of any tribal members enrolled by the Tribe under previous legislation.

(Source: WOS 2018-018, September 24, 2018, Section VI)