LEG-357 Waganakising Odawak Statute Tribal Minimum Wage Alignment – sponsored by Councilor Fred Harrington, Jr.

WAGANAKISING ODAWAK STATUTE 2026-___
TRIBAL MINIMUM WAGE ALIGNMENT

SECTION I. PURPOSE

The purpose of this Statute is to establish a single, Tribe-wide minimum hourly wage equal to the Tribe's Living Wage, and to ensure that no employee working within Tribal Government or Tribal enterprises is compensated below that standard.

SECTION II. DEFINITIONS

For purposes of this Statute:

A. "Living Wage" means the hourly wage rate established by Tribal law using a cost-of-living methodology adopted by the Tribe and updated periodically through Tribal Resolution or administrative action.

B. "Minimum Wage" means the lowest hourly rate of pay that may be paid to an employee subject to Tribal jurisdiction.

SECTION III. TRIBAL MINIMUM WAGE ESTABLISHED

A. Effective June 1, 2026, the Tribal Minimum Wage shall be no less than eighty-five percent (85%) of the Tribe's Living Wage, as in effect on that date.

B. Effective January 1, 2027, the Tribal Minimum Wage shall be no less than ninety percent (90%) of the Tribe's Living Wage, as in effect on that date.

C. Effective June 1, 2027, the Tribal Minimum Wage shall be no less than ninety-five percent (95%) of the Tribe's Living Wage, as in effect on that date.

D. Effective January 1, 2028, the Tribal Minimum Wage shall be equal to one hundred percent (100%) of the Tribe's Living Wage, as in effect on that date.

E. C. From and after January 1, 2028, no employee of the Tribal Government or any Tribal enterprise shall be compensated at an hourly rate less than the Tribe's Living Wage.

SECTION IV. APPLICABILITY

This Statute applies to all employees of the Tribe, including employees of:

A. Tribal Government departments, and

B. Tribal enterprises, authorities, boards, commissions, and other Tribal entities, unless expressly exempted by federal law or the Tribal Constitution.

SECTION V. REPEAL AND REPLACEMENT

This Statute repeals and replaces all whole or relevant portions of prior Tribal Statutes, Resolutions, Regulations, policies, or provisions that establish, reference, or authorize a Tribal minimum wage lower than the Tribe's Living Wage, to the extent of any conflict.

SECTION VI. APPROPRIATIONS AUTHORIZED

The current appropriations for the Department and Commission within the Executive budget shall be used to implement this Statute. The Executive may request additional supplemental funds necessary to meet the obligations of this Statute; and the Executive shall present Tribal Council with future annual budgets necessary to implement this Statute.

SECTION VII. SAVINGS CLAUSE

In the event that any phrase, provision, part, paragraph, subsection or section of this Statute is held invalid or unconstitutional by the Tribal courts of the Little Traverse Bay Bands of Odawa Indians under the Constitution or laws of the Tribe, such phrase, provision, part, paragraph, subsection or section shall be considered to stand alone and to be deleted from this Statute, the entirety of the balance of the Statute to remain in full and binding force and effect.

SECTION VIII. EFFECTIVE DATE

This Statute shall take effect upon Executive signature or thirty (30) days after Tribal Council approval, whichever occurs first, with wage adjustments implemented according to the schedule set forth in **Section III** or if the Executive vetoes the legislation, then upon Tribal Council override of the veto, then with wage adjustments implemented according to the schedule set forth in **Section III.**

CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Statute was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on _____ at which a quorum was present, by a vote of __ in favor, __ opposed, __ abstentions, and __ absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Harrington Jr.				
Fred Kiogima				
Tammy Okuly-Shananaquet				
Emily Proctor				
Jordan Shananaquet				
Kelly Wesaw				
Melissa Pamp				
Annette VanDeCar				
Linda Gokee				

Date: _____ _____
Linda Gokee, Legislative Leader

Date: _____ _____
Annette VanDeCar, Secretary

Received by the Executive Office on _____ by _____

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005, the Executive concurs in this action of the Tribal Council.

Date: _____ _____
Winnay Wemigwase, Tribal Chairperson

Received by the Legislative Office _____
Date