

**Oneida Personnel Commission**  
**Social Service Bldg, Third Floor**  
**Phone (920)869-4437**

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**CASE FILE**  
**COVER LETTER**

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**Exhibit B**  
**Retaliation/Termination Hearing for:**

**Whitney Wheelock - Petitioner**

**vs.**

**Dale F. Hill - Respondent**

This is CONFIDENTIAL additional documentation that has been submitted in a timely manner to the Oneida Personnel Commission. It is in regard to Whitney Wheelock's Termination that was issued to him on July 1, 2011, by Dale F. Hill. This hearing is being held in accordance with the provisions in the Employee Protection Policy.

Article V. Protection

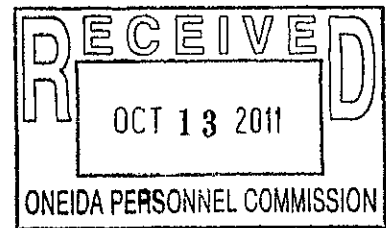
- 5-1. Any employee who discloses information in the manner described in this policy shall be protected from any and all employment related retaliation to the fullest extent of this Article.
- 5-2. Any employee who believes that retaliatory action is being taken against them may follow procedures set out below: a. This policy supersedes those complaint procedures set out in the Personnel Policy and Procedures Manual and the employee may go directly to their Division Director and state, in person and in writing, or written only, the action that employee believes is retaliatory, or b. If a disciplinary action, that employee may go directly to the Personnel Commission with their grievance.
- 5-3. The Personnel Commission is authorized through this policy to proceed immediately with any alleged retaliation grievance placed before them by any employee. Any resolution of a retaliation grievance must be written and placed in all parties files. All parties include, but are not limited to, persons actively involved with knowingly implementing any retaliation action and named by the grieving party.

All information is in the order that it was received, and some duplication of documents may occur.

**The Petitioner and Respondent are responsible to maintain the confidentiality of this case file. This will be the only copy that will be issued.**

Gina Buenrostro, Administrator  
Oneida Personnel Commission  
Oneida Tribe Of Indians Of Wisconsin

**Whitney A. Wheelock**  
2904 Commissioner Street  
Oneida, WI 54155  
wwheeloc@gmail.com  
(920)-264-4586



**Date:** 10/13/2011  
**Docket No.:** 11-RET-001  
**Subject:** Motion for Advocate & Witnesses

**Hand Delivered to:**  
Oneida Personnel Commission  
Social Services Building

This is a notice that I, Whitney A. Wheelock, exercise my right to an advocate/attorney. I have sought out all tribal resources from the Oneida Legal Resource Center; however, they are unwilling to cooperate as they feel a conflict of interest would arise using their department as my advocacy. Lillian M. Wheelock will be my advocate and assist me in this case.

Her contact information is:

2904 Commissioner Street Oneida, WI 54155  
[chowlovers@new.rr.com](mailto:chowlovers@new.rr.com)  
(920)-869-1106  
(920)-309-1210

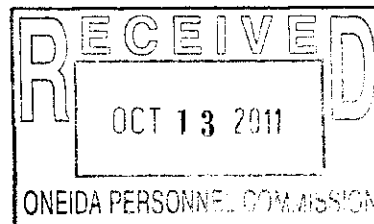
I have requested the following witnesses to appear for testimony at the scheduled hearing:

- Whitney A. Wheelock
- Dawn Delabreu
- Yadi Jordan
- Michelle Jordan
- Cindy Kohl
- Shane John
- Jay Fuss
- Greg Matson
- Theresa Ames
- Dana McLester

Yaw^ko,

  
Whitney A. Wheelock

**Whitney A. Wheelock**  
2904 Commissioner Street  
Oneida, WI 54155  
wwheeloc@gmail.com  
(920)-264-4586



**Date:** 10/13/2011

**Docket No.:** 11-RET-001

**Subject:** Retaliation Hearing Whitney A. Wheelock vs. Dale Frissell Hill

**Hand Delivered to:**

Oneida Personnel Commission  
Social Services Building

I write to you today in accordance with the Oneida Employee Protection Policy Article V. 5-2.b: *"Any employee who believes that retaliatory action is being taken against them may follow procedures set out below:....b. If a disciplinary action, that employee may go directly to the Personnel Commission with their grievance."* On June 30, 2011 It was unanimously decided by the Oneida Personnel Commission (OPC) hearing body that I, Whitney A. Wheelock be granted an Interim Protective Order against my supervisor, Dale Frissell Hill. (Attachment A). Full Employee Protection was later granted on September 30, 2011 by the OPC. (Attachment B). As stated in Article I. 1-1 of the Employee Protection Policy (EPP): *The purpose of this policy is to give protection to employees who give information that is intended to protect the Oneida nation, or its agencies from fraud, theft or other detrimental effects.* However, after discovering my disclosures against him my supervisor, Dale Frissell Hill, terminated me on Friday July 1, 2011 at 3:30 P.M. (Exhibit A). Please notice how Mr. Hill's statements are in all caps, which shows me this document was written in anger. If you notice in the other attachments written by Mr. Hill he does not use all caps when making other statements. Mr. Hill's grounds for my termination are based on the following three (3) alleged policy violations: V.D.2.II.B. *Attendance and Punctuality*, V.D.2.IV.C. *Personal Actions and Appearance*, and V.D.2.1.A. *Work Performance*. Please note that policy V.D.2.1.A. *Work Performance* does not exist in the Oneida Personnel Policies and Procedures; however, Policy V.D.2.I.A. *Work Performance* does exist. This is a typo of haste and anger on Mr. Hill's part where I received corrective action for a policy that does not exist. My supervisors did not follow the tribal disciplinary procedure violating Section V.D.5.B., which requires *"specific policy section under which action is being taken."* A supervisors failure to follow the disciplinary procedure results in the court overturning the discipline as previously set in *Gladys Dallas v. Oneida Bingo & Casino, Cage/Vault Department, Docket No. 10-AC-001*.

**Background**

Retaliation on the part of Mr. Hill began on 02/16/2011 shortly after questioning my supervisor about certain questionable items being purchased using Tribal money. My supervisor allowed me to enroll in classes at NWTC for the Spring 2011 semester, and allowed me to do so on Tribal time. As the OREEP

program is a training program my supervisor encouraged me to develop additional skills and abilities by pursuing education at a local education institution. The only day I had class was on Wednesday mornings which began on 01/16/2011. (Attachment C). Mr. Hill approved all time to promote my education until I questioned him on 02/16/2011 regarding questionable purchases. From this point on Mr. Hill began to retaliate against me, first by denying my education benefits. As shown on my Punch Report, Mr. Hill required me to either use vacation or personal time to attend school after 02/16/2011. (Attachment D). Before my disclosures I was granted the time to attend school, as education is the fundamental building block in promoting Tribal wellbeing across our reservation.

On June 28, 2011 I questioned my Area Manager, Shane John, on the amount of overtime the O.R.E.E.P., (Oneida Rental Energy Efficiency Program) department has used the previous week. He was unaware of O.R.E.E.P.'s abuse of overtime. Policy IV.3.A. states: *Any and all overtime will be kept to a minimum and must be approved by the supervisor and Area Manager.* For the payroll report with week ending June 25, 2011 O.R.E.E.P. had a total of thirty nine and a quarter (39.25) hours of Overtime, thirty five (35) of which came from the field crew. (Attachment E). The O.R.E.E.P department is overseen by Mr. John where Mr. Hill directly supervises all of the O.R.E.E.P employees as the Project Manager, self-included. As the Administrative Assistant II for the O.R.E.E.P. department I handle all payroll reports and submit them to the accountant in charge of pay roll, Cindy Kohl. After I verbally reported this information to Mr. John I received a text message from Mr. Hill on June 29, 2011 stating *"Make sure u adjust ur hours to avoid ot."* (Attachment F). Immediately I knew Mr. John must have had a discussion with Mr. Hill regarding the abuse of overtime O.R.E.E.P. has had. The amount of overtime I personally receive has never been an issue as there are a number of responsibilities that are not disclosed on my job description that I must complete weekly. Therefore, after receiving this text message from Mr. Hill I questioned his decision and I received the following as his reply, *"I have to justify ot when I record it in kronos but u really don't need to work ot u can always leave when u hit 40 and take care of it the next week. Plus I noticed this morning u come in evenings and weekends and I didn't realize it. You cant be there unless I schedule work past 40 hours or to come in outside of ur normal work schedule Monday thru fri 8-430."* (Attachment F). I found Mr. Hill's response to be highly threatening and out of character as overtime and/or the hours I work have NEVER been an issue. Under Mr. Hill's supervision I have worked a total of seventy nine and a quarter (79.25) hours of overtime and I have only been Admin for less than a year. (Attachment G). I feel my disclosure to Mr. John on the abuse of overtime on the part of Mr. Hill was another retaliatory action to be taken against me. Article 3-10 of the EPP uses *"loss of hours"* as an example of a retaliatory action. Mr. Hill knew I made the disclosure to Mr. John as I am the only other individual who would have access to O.R.E.E.P.'s hours other than Cindy Kohl or Mr. Hill himself; however, that weeks' pay roll report was not yet submitted to Mrs. Kohl, leaving me as the sole source for the information. For this sole purpose alone I felt the need to file for a protective order under the Oneida EPP. Before I disclosed any further information to protect the Oneida Nation I felt I first needed to protect myself from any further retaliatory actions. I would like to take this opportunity to thank the personnel commission for the protective order they granted me.

## Termination

This termination is the result of retaliatory actions as a result of my original request for Employee Protection which was granted on June 30, 2011. On June 29, 2011 I received an email from Mr. Hill which stated he wanted to meet with me the following morning at 9:00 A.M. (Attachment I). In preparation of more retaliatory actions I contacted H.R.D. PRO Matt Denny to gain guidance on how I should proceed. At approximately 8:25 A.M. on June 30, 2011 as I was leaving my office fellow OHA employee Rosie Rothamer saw my document for employee protection on my desk. There is no way she could have seen the subject line of the document as the top half of the document was covered by another document on my desk. None the less, the body of the paragraph explains the subject of the document. Mrs. Rothamer disclosed this information to Mr. Hill shortly thereafter. The relationship that Mr. Hill and Mrs. Rothamer have is nothing short of strange and unprofessional. I have not come across any hard evidence that proves an affair; none the less, some sort of conflict of interest exists between them. Personally I have seen Mr. Hill message Mrs. Rothamer's feet in his office and have witnessed several other discrepancies. I have asked the Personnel Commission to subpoena the documents needed to show an existing conflict, and several witnesses will be able to back up my claim.

The 9:00 A.M. meeting on June 30, 2011 I had with Mr. Hill and the meeting that took place shortly after were both recorded at the request of Mr. Hill on his tribal cell phone. He stated at the beginning of the meeting he would record our conversation, later write it out, and then give me a copy. Since that point I have made several attempts at trying to obtain a copy of these meeting minutes; however, all attempts have been unsuccessful. At the 9:00 A.M. meeting on June 30, 2011 Mr. Hill stated he was at HRD that morning and he knew I had called HRD earlier and was under the impression that I would be terminated. Mr. Hill continued to state that I have nothing to worry about regarding a termination and began to question me about my assigned duties. Both meetings which quickly became an interrogation gained no momentum for either party involved, at which point Mr. Hill stated he would no longer proceed with my title reassignment. Attached please find the original EPQCF form Mr. Hill signed requesting a title reassignment for me. (Attachment J). Denying my raise was the first type of retaliatory action I received while under EP. Article 3-10 of the EPP uses, "*denial of educational benefits, reassignment, failure to increase base pay*" as an example of retaliatory actions. At the end of our meeting Mr. Hill told me to return to work, which I did. At this point I was not sure if I was granted EP so I contacted the Area Manager, Shane John, at 9:11 A.M. on June 30, 2011 and discussed these retaliatory issues with him. (Attachment K). He was unwilling to assist me in any way unless I were to put a statement in writing, which I was unwilling to do based on the previous retaliatory action I received due to my disclosure to Mr. John. Throughout the day Mr. Hill questioned me two other times in his office; however, these two conversations were unrecorded for reasons beyond my knowledge. The last meeting I had with Mr. Hill on June 30, 2011 was very disturbing as he questioned me about any statements I made against him. Between our third and fourth meeting that day Mr. Hill came in to my office and asked what I was working on. At the time I was going through my emails checking for a reply to a few messages I wrote earlier in the week. I could tell there was something else Mr. Hill wanted to say. He stood by my desk for a few moments and then started looking through some of the papers on my desk which is very out of character. He noticed a notebook I had on my desk which I was using to write down notes about the

different meetings we had throughout the day and the different violation policies I noticed. Mr. Hill walked out of my office, turned around and warned me not to proceed any further with this. His exact words were, *"I strongly urge you not to go too far with this cuz you're not going to like the results."* I felt strongly threatened by this statement and is a direct violation of Policy V.D.2.IV.A. Personal Actions and Appearance: *Threatening, attempting, or doing bodily harm to another person.* Mr. Hill is threatening me in this statement, but his under lying message is he is going to retaliate against me. As defined in Webster dictionary: *"Retaliate: to return like for like, to pay back (an injury) in kind, or punishment in kind."* Mr. Hill knew I was pursuing a complaint against him under Employee Protection, and his only way to get even was to retaliate.

Mr. Hill is not the only individual in violation of unlawful retaliation under the EPP, my Area Manager Shane John, is also in violation. Mr. John is in violation as he has failed to do anything before or after my termination regarding retaliatory actions and harassment even though he was made aware of them. I wrote an appeal of my disciplinary action to Mr. John and had it date stamped on July 11, 2011. Policy V.D.6.A.2 states, *"The Area Manager, for ALL disciplinary action investigations, will have ten (10) working days from the receipt of the employee's appeal to complete the investigation."* To this date I have still not received a response from Mr. John and it is definitely beyond the ten (10) day time frame. I pursued this issue further and contacted Matthew Denny with HRD for clarification. Mr. Denny stated, *"If a protected employee files their appeal with the Oneida Personnel Commission, no other entity would have jurisdiction of the appeal until a decision is rendered by the Oneida Personnel Commission."* (Attachment L). I have searched the entire Blue Book and various Tribal Laws to see where this policy is written, and it is written NO WHERE. In addition, this document was written on August 19, 2011, after the Area Manager was to render a decision. Mr. Denny asserts Resolution #5-12-93-J allows him to interpret policies as a HRD PRO. The Resolution states, *"Be it further resolved, that the interpretation, notification, and enforcement of the Personnel Policy and Procedures will be the responsibility of the Oneida Tribal Human Resources Department and that individual departments, division, key staff, controlling committees or commissions will be held responsible for implementation and compliance."* Nowhere does the resolution afford Mr. Denny the right to create his own policies as he sees fit, which is exactly what he did as there is NO POLICY that substantiates his claim. There is no law/policy in place that would overturn Policy V.D.6.A.2. even under EPP. Mr. John needed to reply within the time frame and due to the fact Mr. Denny wrote his so called interpretation actually violated another law. Under EPP my protected status should have never been disclosed to Mr. John; however, Mr. Denny's interpretation clearly reveals I was under protection to Mr. John.

#### **Violations**

Despite the obvious retaliatory actions taken against me there were also several other violations of the Oneida Personnel Policies and Procedures Mr. Hill violated while plotting my demise. I will address each one below:

Policy Violation V.D.5.B. Disciplinary Procedure: *If disciplinary action is warranted, within five (5) working days the supervisor will fill out the five (5) part disciplinary action form stating the behavior for*

which the action is being taken, the time and date of its occurrence, and the specific policy section under which action is being taken.

1. Mr. Hill became aware of my alleged violations on June 23, 2011 according to the page three (3) of the Disciplinary Action Checklist. (Exhibit A.p4). In accordance with the five (5) working day rule Mr. Hill should have taken action by June 30, 2011. Making Mr. Hill one day late.
2. My second alleged violation states: *"Whitney made false and malicious statements about his supervisor to an OHA employee and tried to get the employee to make a false statement against his supervisor; and called the contract services Manager at Home Depot and told her that the tribe was investigating me for embezzlement, and would she provide a statement to that effect. He also made several false accusations about me to her and tried to get her to substantiate his statement."* (Exhibit A). Mr. Hill's statement against me is false and in violation of the above mentioned policy. The policy requires the time and date of alleged violations to be documented on the five (5) part disciplinary action form. This information is needed to provide support/proof to his statement; therefore, without proof a violation of policy cannot be stated. As a side note, please notice the spelling and grammatical errors in Mr. Hill's statements which reveals to me his haste in completing this form.
3. Mr. Hill's third violation states: *"After being instructed to return to work after a 9:00 AM meeting, Whitney continued to conduct personal business during work hours. I warned him again that conducting personal investigations during work hours was not authorized by employees approximately two hours later, and he continued to do so after specifically being told to perform his duties twice in one morning."* (Exhibit A). Once again Mr. Hill's statement against me is false and in violation of the above mentioned policy. The policy requires the time and date of alleged violations to be documented on the five (5) part disciplinary action form. As you can clearly see no date is mentioned by Mr. Hill in his statement. This information is needed to provide support/proof to his statement; therefore, without proof a violation of policy cannot be stated. At no time during my employment did I ever conduct an investigation of any type. I assume Mr. Hill is referring to June 30, 2011 as that is one of the few meetings we have had; however, that is NOT stated in his statement.
4. I contacted Matt Denny in HRD several times that day regarding all the issues I have been having. One of the questions I had for him was whether or not I am allowed to contact HRD regarding issues of this sort or work on grievances/complaints while on the clock. Mr. Denny told me "yes" I was able to proceed as it was work related as long as it did not conflict with my assigned duties. The only time I spent working on this case while on the clock was with the phone calls I made to Matt Denny. Mr. Hill also states that he warned me "approximately two hours later," in his statement. First and foremost, Mr. Hill was not in the OHA building at that time and second I was in a meeting with Shane John in my office which lasted approximately forty-five (45) minutes. I contacted Mr. John at 10:41 A.M. on June 30, 2011 stating, *"Would u b able to stop by on ur way back from town so I can talk to you & work out some plan of action regarding all this?"* (Attachment M). Approximately fifteen minutes later Mr. John arrived at my office. During our meeting Mr. Hill did return to

the OHA building and proceeded to his office which is next to mine; however, at no time did he make any contact with myself or Mr. John.

5. My first alleged policy violation states, *"Whitney demonstrated a pattern on tardiness (6/23/11 and 33 other incidents) from 1/3/11 through 6/30/11. No call no show on July 1, 2011."* (Exhibit A). Even if this statement was true, action should have been taken when the behavior first appeared. Mr. Hill prints off O.R.E.E.P.'s Kronos time and attendance time sheet every Tuesday at the latest as the report is needed the following day. This can be verified with Cindy Kohl at OHA. Within five (5) working days a supervisor must take action (see above policy); however, in this case five (5) months are between the alleged violation and the disciplinary action.

Policy Violation V.D.5.C. Disciplinary Procedure: *"The form will be discussed with the employee and corrective action will be identified."*

1. At no time did my supervisor, Dale Frissell Hill, discuss the five (5) part disciplinary action form with me which is a violation of the above mentioned policy. In fact, the disciplinary action form and the corrective action on the form were already filled out and sitting on Mr. Hill's desk at approximately 3:15 PM on July 01, 2011 when I entered his office at his request. Mr. Hill premeditated my termination as the (5) part disciplinary action form had been filled out since 8:00 AM that day. At the request of Mr. Hill, Officer Dan House of the OPD was waiting to escort me out of the OHA building at 8:00 AM on July 01, 2011. Dawn Delabreau, OHA Administrative Assistant I, can be contacted to verify this as she covers OHA's front desk.

Policy Violation V.D.2.I.D. Work Performance: *"Falsifying records or giving false information to departments and/or employees responsible for Record keeping."*

Policy Violation V.D.2.I.E. Work Performance: *"Failure to provide accurate and complete information where such information is required by an authorized person."*

Policy Violation V.D.2.IV. Personal Actions and Appearance: *"Making false or malicious statements concerning other employees, supervisors or program heads."*

1. In my first alleged violation Mr. Hill states, *"No call no show on July 1, 2011."* This malicious statement is 100% false and in violation of the above mentioned policies. I contacted Mr. Hill before my start time on July 01, 2011 via text message and stated, *"Im going to come in for the remaining 2hrss to get my 40hrs this afternoon. I have some other work related business that I need to take care of first. Let me know please."* Shortly thereafter Mr. Hill's response was, "K." (Attachment N). Also, in the first part of this violation Mr. Hill states, *"Whitney demonstrated a pattern of tardiness (6/23/11 and 33 other incidents) from 1/3/11 through 6/23/11."* This is a form of double jeopardy where Mr. Hill already tried to reprimand me for some of the instances in his statement. The disciplinary action Mr. Hill presented to me on 02/10/2011 already states this violation; however, the written warning I was issued at the time was overturned through appeal by the Area Manager, Shane John, as



he also felt Mr. Hill could not substantiate his statement. (Attachment O). In addition, 06/23/2011 is not considered a late punch or tardy; however, it should have been marked down as a late/missed punch. On 06/23/2011 at 8:21 AM I wrote to Mr. Hill stating, *"I got here about 8 to 8 this morning and forgot to punch in right away; I was helping Yadi answer the phone while she prepared breakfast. Once I realized the time I punched in but it was a few minutes after 8. Was not sure if I should fill out a missed punch form or not."* It is very common that I fill in at the front desk of OHA to answer in coming phone calls. This can be verified with OHA's office manager Michelle Jourdan. Mr. Hill responded on 06/24/2011 stating, *"That's fine."* (Attachment P). Once again Mr. Hill is in violation of the three policies mentioned above based on his false and malicious statements. These false accusations show he was looking for anything and everything to terminate me.

2. As stated previously my second alleged violation is also false; therefore, Mr. Hill is also in violation of the three (3) policies stated above.
3. In addition, my third alleged violation is also false as proved earlier in this document; therefore, once again Mr. Hill is in violation of the three (3) policies stated above.

**Policy Violation V.D.5.A.1.** Disciplinary Procedure: *"Supervisor investigates through a meeting with the employees and determines whether disciplinary action is warranted."*

1. At no time did Mr. Hill investigate through a meeting with me in regards to my alleged third (3<sup>rd</sup>) violation. In fact, I was unaware of a third (3<sup>rd</sup>) violation until I signed the five (5) part disciplinary action form. A supervisors failure to follow the disciplinary procedure results in the court overturning the discipline as previously set in Gladys Dallas v. Oneida Bingo & Casino, Cage/Vault Department, Docket No. 10-AC-001. More Specifically, in Bruce Steinfeldt v. Lloyd Powless, Docket No. 09-AC-008, the OPC found that Steinfeldt's due process rights were violated because management did not meet with him during an investigation, proper Blue Book complaint sequences were not followed, and procedural irregularities were present.

**Policy Violation V.D.2.A.1-3.** Disciplinary Actions: *"Disciplinary actions will be initiated by an immediate supervisor for the purpose of correcting unacceptable work performance. The supervisor will always discuss the action with the employee being disciplined to ensure that the employee: 1.) Understand the reason for the disciplinary action; 2.) Understands the expected work performance in light of the disciplinary action; 3.) Understands the consequences of continued unacceptable behavior."*

1. As previously stated, Mr. Hill had my termination premeditated. In his hasty actions he failed to carry out the above mentioned policies. At no time during my disciplinary action did Mr. Hill ensure that I understood the three (3) numbered policies shown above. As stated above the five (5) part disciplinary action form was filled out before my arrival, which gives no opportunity to discuss anything. I was not afforded the chance to correct any alleged action(s) as Mr. Hill had already made up his mind. This is a violation of my due process rights.

## Conclusion

I ask that the hearing body please take my appeal under great consideration, and rectify the wrongs that have been done in the best interest of myself and the Oneida Nation. As clearly stated above my termination was the result of retaliatory actions taken by my supervisor, Dale Frissell Hill. In addition to these retaliatory actions, a plethora of the Oneida Personnel Policies and Procedures were violated by Mr. Hill. I was never afforded the opportunity to correct any of the alleged violations, which is evident by the way Mr. Hill preceded with my termination. It was never his intention for me to correct any action, but to simply retaliate against me through termination. If his intention as a Tribal supervisor was to correct an alleged action he would have followed the policies and procedures to correct my alleged violation (s).

## Requests

I would like to emphasize Employee Protection Policy Article IV. 4-7: "Appropriate agencies are authorized to use their full powers to take corrective measures where disclosures merit action, and to utilize all Tribal agencies to effectively correct any and all problems found. This includes, but is not limited to, the following action: a. Oneida Business Committee for garnishment action to recover lost funds, b. Personnel Commission for disciplinary action, c. Appeals Commission for appropriate civil actions, d. Criminal prosecutions, where indicated, in appropriate federal or state courts." My disclosures obviously provided sufficient merit to my claims as the OPC granted me Employee Protection. Note: in the event any of the following requests/damages are not awarded, documentation is requested from the Oneida Personnel Commission stating reason for said denial as all awards are allowable under Rule 18 of the Oneida Rules of Civil Procedure.

1. Back Pay: In accordance with Policy V.D.5.F.1.B: *Suspension/terminations that are overturned in the appeal process shall result in the employee receiving back pay for the days he/she was suspended/terminated.*
  - a. I request all back pay and vacation/personal hours from 07/01/2011 – 07/15/2011 to be returned to me within fifteen (15) calendar days at a rate of no less than \$17.76/Hr. This request is based off the hourly wage Mr. Hill approved in my title reassignment which he later denied as a form of retaliatory action. This is a reasonable request and should be granted as Tribal Pay Back Policy 3-1 states: *Back pay is money damages owed to the employee for a salary that WOULD have been earned in the time taken to litigate the employment/ dispute.*
  - b. I request all back pay and vacation/personal hours from 07/18/2001 – 09/30/2011 to be returned to me within fifteen (15) calendar days at a rate of no less than \$21.04/Hr. This request is based off the hourly wage of the vacant Acquisition Project Manager Job description. Before I was terminated I was working with Jay Fuss, OHA Construction Supervisor, and Greg Matson, OHA Acquisitions Project Manager on developing a plan where I would become the Interim Acquisitions Project Manager upon Mr. Matson's election to Tribal Vice-Chair. (Please see Attachment Q for proposal). This is a reasonable request and should be granted as Tribal Pay Back Policy 3-1 states: *Back pay is money damages owed to the employee*

*for a salary that WOULD have been earned in the time taken to litigate the employment/ dispute. I fulfilled every requirement on the job description and I would have been top of the list to fill the position as I already worked in house and already handled the financial aspect of the Acquisitions department. The Tribal Selection Policy also shows I would have been first to fill the position.*

- c. I request all back pay and vacation/personal hours from 10/03/2011 – Decision to be returned to me within fifteen (15) calendar days at a rate of no less than \$21.79/Hr. This request is based off the hourly wage of the vacant Acquisition Project Manager Job description plus the \$.75 raise which became effective 10/01/2011. Before I was terminated I was working with Jay Fuss, OHA Construction Supervisor, and Greg Matson, OHA Acquisitions Project Manager on developing a plan where I would become the Interim Acquisitions Project Manager upon Mr. Matson's election to Tribal Vice-Chair. (Please see Attachment Q for proposal). This is a reasonable request and should be granted as Tribal Pay Back Policy 3-1 states: Back pay is money damages owed to the employee for a salary that WOULD have been earned in the time taken to litigate the employment/ dispute. I fulfilled every requirement on the job description and I would have been top of the list to fill the position as I already worked in house and already handled the financial aspect of the Acquisitions department. The Tribal Selection Policy also shows I would have been first to fill the position.
2. Legal Fees: I request all legal and advocate fees to be paid in full with in thirty (30) calendar days of the decision. As the proceedings are not yet complete it would be impossible to even estimate a cost at this point. In accordance with Rule 18 of Oneida Rules of Civil Procedure, *"The original hearing body shall not award attorney's fees unless: 2) It has been clearly and convincingly shown that the case has been prosecuted in bad faith for the purposes of harassment only."* As I have clearly demonstrated this case developed out of the harassment and retaliatory actions of my supervisor Dale Frissell Hill. In "Quality Construction Management Inc., Kurt Jordan, Chris Fuss, Lance Vanden Heuvel, Petitioner (s) vs. Oneida Seven Generations Corp., Respondent Docket # 05-TC-018." *"Petitioners request attorney fees. This court agrees, if Respondent followed the law, Petitioners would not have filed a claim. Petitioners have a right to attorney fees. Respondent shall pay Petitioners' attorney fees."* If my supervisor would have followed tribal law and acted within his scope of authority I would have had no need to file a claim.
3. Consequential "monetary damages" not less then or equal to seven (7) years of full pay, vacation and sick time and full benefit package at the rate of \$21.79 per hour, plus 35% for benefits. Plus all out of packet expenses involved in preparation and presentation of this case. To be paid within thirty (30) calendar days after a decision is rendered by the appropriate authority. A time frame of seven (7) years is set as it takes approximately seven (7) years to reestablish an individual's credit score.
4. Due to continual Malice, and egregious disregard of the Petitioner's rights by Dale Frissell Hill the petitioner seeks punitive damages of not less than \$2 million dollars to set an example for similar wrong doers. To be paid within thirty (30) calendar days after a decision

is rendered by the appropriate authority. In Oneida Internal Security, et al vs. Own Somers, 06-AC-011, (5/23/06), *"the Appeals Commission held that punitive damages are rarely granted in a case and only in limited circumstances such as when a party acts with malice or in an egregious disregard of another's rights."* It is clear that my rights were disregarded by Mr. Hill and even taken away in certain instances. Mr. Hill's actions have already been proven to be malice as the OPC granted me EP based on grounds of my original complaint: *"The grounds of my complaint involve the malice use of federal ARRA grant money, abuse of authority, gross mismanagement, and retaliatory actions."*

5. Due to intentional violation of the appellants Civil Rights, inflicted with malice and the reckless indifference to adhere to the federally protected rights of the appellant. The appellant seeks "Compensatory Damages" in the amount of \$300,000.00 for the pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses. To be paid within 30 calendar days after a decision is rendered by the appropriate authority.
6. I would like to request a status of Lifetime Employee Protection be granted immediately. This will include, but not limited to, protection for the duration of my employment with the Oneida Tribe, but also includes future employment with the Tribe and its subsidiaries. Previous precedent has been set granting protection of this sort for extremely similar disclosure(s) at the Appellate Court level. The Tribal Appellate Courts stated under Docket #07-AC-025. IV. Decision, *"we overturn the majority decision of the Oneida Personnel Commission and uphold the dissenting opinion. Lifetime Employee Protection is granted to Ms. Vandehei. This will include, but not limited to, protection for the duration of her employment with the Oneida Tribe, but also includes further employment with the Tribe."*
7. I would like to be reinstated to the Oneida Housing Authority under a different supervisor as my wealth of knowledge would be most beneficial to this division at a salary of no less than \$21.79/Hr. This request is based off the hourly wage I WOULD have been earning including the tribal wide raise which became effective 10/01/2011.
8. In order to be made whole again, I request that all education fees be paid in full in order to receive funding through the Oneida Higher Education Department. Due to my supervisor harassment, violation of rights, and retaliatory actions denying me education benefits I was unable to complete the semester making me ineligible to receive funding from Oneida Higher Education. As education is one of our Nation's top priorities I see no reason why the hearing body would deny me a right afforded to every enrolled Oneida; especially, since the right was taken away from me through harassment and retaliatory actions of my supervisor.
9. An order of all records to be expunged from my background and personnel file that are in any way related to his case, any findings, rulings, etc. In addition, I ask all disciplinary actions to be removed from my record that were issued by Dale Frissell Hill.
10. An order barring the Oneida Law office from entering into negotiations that may reduce any and all awards in part or in total.
11. Loss of Property: In accordance with Rule 18 of the Oneida Rules of Civil Procedure I request, *"Directing the surrender of certain property to the injured party which the injured party is found to be legally entitled."* I have made several attempts to obtain my personal

property that was in my office from Mr. Hill and Mr. John; however, both failed to reply. I request that all my personal belongs be returned with in three (3) working days of a decision, and if any property is missing and/or damaged I request to be compensated for the value of the item(s) with in fifteen (15) calendar days.

12. All other forms of relief deemed equitable and compensatory by this Commission.

OPC member Shannon Powless had asked me during our closed hearing if the Oneida Tribe needed to follow, *"United States Department of Labor code Under 29 CFR 1926.501(b) (13), 'workers engaged in residential construction six (6) feet or more above the lower levels must be protected by conventional fall protection (i.e., guardrail systems, safety net systems, or personal fall arrest systems,' as stated in Exhibit B-1 p.11. This got me thinking what rules the tribe needs to follow when it comes to safety. Chapter 33: Oneida Safety Law answers that question as the purpose of this law states, "These guidelines are the standards which the Oneida Tribe shall adopt to ensure the safety of its employees. All guidelines comply with the minimum standards set by OSHA. When direct language does not show reference the minimum OSHA standards will be exercised."*(33.1-1.). Instead of mentioning the plethora of safety violation through OSHA, I will only address the direct violations under the Oneida Safety Law.

*"It is the policy of the Oneida Tribe to communicate any relevant information regarding hazardous chemicals to potentially exposed employees, as well as to implement appropriate measures to safeguard employee safety and health (33.5-1.)."* At no time during my employment did my supervisor or area manger inform me of the possible hazards I personally worked with and or the dangers in my work environment(s). However, *"It will be the responsibility of management and supervisors to ensure that adequate information is obtained and distributed to the appropriate employees (33.5-2.)."* In return, *"It will be the employee's responsibility to follow instructions and practices outlined in the product labels, MSDS's, tribal operating procedures, and /or tribal safety training (33.5-2.)."* Unfortunately, neither the Oneida Housing Authority located in Site I nor the Oneida Housing Authority Warehouse located on Seminary Road has a MSDS, which lists the department's chemical inventory. Tribal Law states, *"Each department of the Oneida Tribe shall develop a list of all materials containing a chemical or substance used by the department. A copy of this list shall be available, and may be reviewed by requesting a copy from a supervisor (33.5-4.)."* *"An Material Safety Data Sheet (MSDS) shall be on file for each of the items on the Chemical Inventory list. In the case of a new material or one of a different chemical composition, an MSDS must accompany the delivery (33.5-53.)."* Having been employed in three different positions at OHA, I could also tell you that there are no MSDS's on file. In being an Administrative Assistant II under the OREEP department I ordered all materials, the majority of which were rehabilitation supplies such as spray foam insulation chemicals.

I started working for OHA on 04/11/2010 as Rehab Worker Trainee later being promoted twice. When I began working for OHA a machine by the name CPDS was used to install spray foam insulation. The machine worked by the combination of two chemicals, Component A and Component B, and once these chemicals combined it formed either opened or closed cell insulation. Simply, these two tanks of chemicals combined to create insulation, much like spray painting a wall. These chemicals were used daily at various work/job sites, and of the new six (6) new employees hired with me, none of us received

any training required by tribal and OSHA policies. All new employees hired after my employment under OREEP NEVER received required training, as I handled HR issues as OREEP Admin. *"Hazard communication training is required for those employees whose work exposes them to chemical hazards under normal working conditions or in a foreseeable emergency...Training shall include the following: (a) reading and understanding the Hazard Communication Program (HazCom), (b) reading and understanding the MSDS, (c) reading and understanding the substance container label, methods employees can use to protect themselves from exposure to chemicals by using the right personal protective equipment, (f) how the employee can obtain more information on the products they use."* (33.5-7.) It is just not OREEP that is in violation of the chemical safety laws of the tribe but ALL of the Oneida Housing Authority. This training is required to protect employees and employers from a hazardous work situation or accident.

If this Tribal Law would have been followed I could have been protected from the horrific hazards I went through as a Tribal Employee and as a Tribal Member. A HazCom training and a MSDS were required by the Oneida Housing Authority under the above mentioned law to be provided to all employees whom would come in contact with the chemical. In general a MSDS is used to show a chemicals strength based on health hazards, fire hazards, and reactivity on a number scale zero (0) to (4). Zero (0) meaning stable/safe, and four (4) meaning danger. Component B used for insulating rates one (1) for health hazard, one (1) for fire hazard, and zero (0) for reactivity. Component A rates two (2) (Warning) for health hazard, one (1) for fire hazard, and one (1) for reactivity. Component A is rated two (2) because it causes severe respiratory issues. As a matter of fact, under the WARNING/Emergency Overview section of the MSDS for Component A, *"Persons allergic to isocyanates, and particularly those suffering from asthma or other respiratory conditions, should not work with isocyanates."* See attached MSDS. (Attachment R). I suffered severe breathing and upper respiratory issues while working with this chemical, as do other employees. In fact, I have documented asthma, and if the Oneida Housing Authority would have been following Tribal Law I never would have been allowed to use this chemical given the heightened health risk. With each promotion, I needed to fill out a new Self-Disclosing Physical Questionnaire Form and every time I wrote down I had Asthma. (Attachment S). The Oneida Housing Authority has put myself and numerous other employees in extreme danger by not following Tribal Law.

The degree of pain and suffering can be measured by several unfortunate situations that have occurred since being terminated from my job on July 1, 2011. The first being a visit to St. Mary's Hospital Emergency Center on July 16, 2011 for Gastritis or Viral Gastritis; which is the inflammation of the lining of the stomach. A sign of the illness is blood in the stools or vomit. This illness can be caused by irritation of the stomach lining due to vomiting or an infection. (Attachment T). It can also be caused by stress. On July 13, 2011 I was seen at the Oneida Health Center for low back pain. This was diagnosed as being from stress. (Attachment U). On August 1, 2011 I was again seen at the OHC for abdominal discomfort, and a stress reaction. (Attachment V). My second visit to St. Mary's Hospital Emergency Center was on August 2, 2011, for another stress related incident. (Attachment W). I am on Fluoxetine, ibuprofen, Amphetamine Salts, Adderall XR, Altace, Prilosec, Singulair, Albuteral inhaler, Lorazepam, Trazadone, and Vicodin.

I have had numerous unfortunate encounters with the Management of Creekwood Apartments for paying my rent late and recently I received an Eviction Notice for not being able to pay October 2011 rent of \$640.00. (Attachment X). I have attempted to obtain other housing accommodations for the past month, only to continue being denied acceptance due to my poor credit rating and poor rental history at Creekwood Apartments. My opportunity to become a home owner has also been eliminated since being terminated from employment with the Oneida Tribe. I was in the process of obtaining a home mortgage when I was terminated.

My level of depression has sunk to an all-time low with everything that has occurred as an effect of my termination. My medication has been increased to help alleviate my depression symptoms. I have gained a significant amount of weight, have no energy, and have a loss of interest in most everything that once was of interest to me. I have the ability to sleep away each and every day, since everything has occurred. Every aspect of my life has been impacted by my termination. I face daily stress and grief due to being Homeless in the very near future.

I have bill collectors calling me and my parents on a weekly basis, demanding payment of outstanding balances owed. I have also received several calls from Honda Finance stating that if my payments aren't made current that my car will be repossessed. I have 2 years left to pay on this auto loan, and I used a majority of my Per Cap payment from when I turned 18 on my car. I am going to lose my only means of transportation due to being unemployed for such a long period of time. This situation not only affects me but my mother as well, in that she co-signed for my car loan. My utilities have been turned off due to lack of payment. I am unable to afford the basic needs of survival since being unemployed. My credit rating was once excellent and is now in total despair with all of the extenuating circumstances of this case. I have utilized all of the tribal financial resources available to me to the extent that I am no longer able to obtain any further assistance from the Center for Self Sufficiency. I am not eligible for housing benefits in that I am a single man without children.

I was attending UW GB on a full time basis and have since been asked not to return due to financial obligations with the university. My only opportunity for advancement in employment opportunities is to obtain a college education. This is currently unavailable to me due to my financial situation. The level of grief I experience each day is becoming more and more unbearable, as I lose everything that I have worked so hard to accomplish. It will take several years to recover from this incomprehensible experience. The sequence of events has been one where I am getting closer and closer to being Homeless. With no prospects available to me, I am in a most precarious situation.

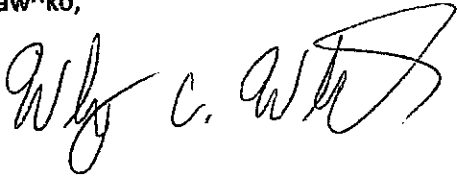
This could have all been avoided, had Dale Frissell Hill followed the HRD policies and procedures, rather than terminating me to gain a sense of gratification, and as a form of retaliation (An Eye for an Eye).

The amount of emotional and physical distress bestowed upon me by Mr. Hill's actions has been tremendous. I would like to reiterate that I am a twenty two (22) year old Oneida man dedicated to the Oneida Nation Organization by working forty (40) plus hours a week, and also working toward my

bachelor's degree as a full time student at the same time. With my final two classes ending the third week in July this already is a hectic time for me. Knowingly, Mr. Hill's actions also negatively affected my living arrangements as my current lease ends on 10/31/2011. Mr. Hill knew I was in the process of purchasing a home through Bay Bank's Section 184 Loan Program. The retaliatory actions on the part of Mr. Hill, first with my title change and then with my termination shattered my dreams of being an independent Native home owner. Being unlawfully terminated my only source of income is from Wisconsin unemployment, which is equivalent to roughly half the salary I was earning. Mr. Hill's harassment and violations of my rights have had a considerable financial impact on my wellbeing.

I would like to thank you for your time and consideration in this matter, and if you should have any questions please feel free to contact me. I look forward to the upcoming hearing as I feel this a chance for justice to prevail and to be made whole again.

Yaw^ko,

A handwritten signature in black ink, appearing to read "Whitney A. Wheelock". The signature is stylized with a large, looped "W" and a distinct "A".

**Whitney A. Wheelock**  
2904 Commissioner Street  
Oneida, WI 54155  
[wwheeloc@gmail.com](mailto:wwheeloc@gmail.com)  
(920)-264-4586



# Attachment A

**Oneida Personnel Commission**  
Third Floor Social Services BLDG  
Telephone: (920) 869-4437 Office

**Initial Review Decision**  
**Re: Employee Protection Act**

**Date:** June 30, 2011

**Mailed Certified**  
**to Petitioner only:**

Whitney A. Wheelock  
2742 Viking Dr. 3-d  
Green Bay, WI 54304

**In the Matter of:**

**Employee:** Whitney A. Wheelock  
Petitioner

**vs.**

Dale Frissel Hill  
Supervisor  
Oneida Housing Authority

**Supervisor:** Dale Frissel Hill  
Respondent

**We, the Initial Hearing Body of the Personnel Commission, by a unanimous vote, hereby agree to GRANT an Interim Protective Order and hearing to review all the testimony and evidence presented by the employee.**

\*\*\*\*\*

Justification, for this decision is based on the following reason(s) as stated in the Employee Protection Policy, Resolution BC-6-30-04-J adopted June 30, 2004 (attached):

- 1-1. The purpose of this policy is to give protection to employees who give information that is intended to protect the Oneida Nation, or its agencies from fraud, theft or other detrimental effects.
- 3-3. "Appropriate Agency" means a delegated person or officer to receive disclosures in the Internal Auditing, Gaming Commission, Tribal School Board, and Personnel Commission.
- 3-5. "Disclosure" means to reveal otherwise non-public information or other information that would otherwise remain concealed during a period which it should be brought to light.
- 3-6. "Employee" means any person working for the Oneida Nation in its programs, enterprises, and governmental functions, whether elected, appointed, or hired as a limited term employee, vendor, or contractor.

- 3-9. "Mismanagement" means failure to use reasonable good sense in using the authority granted through the job description, delegated authority by any supervisor, and/or personal judgment to advance the economic, financial, and political value of the Oneida Nation by properly using employee time, equipment, funds, and their own time.
- 4-1. General. The Oneida Tribe recognizing the negative impact of the employee that may arise from presenting information that protects the Oneida Tribe from adverse actions of its elected officials, employees, contractual employees, and contractors and offers the processes in this Policy to protect employees against retaliation in the event information is presented. This Policy is effective after presentation of information and protects against retaliation. No identification of a protected status is necessary when information is properly presented. And no protection can be extended unless information is properly presented.

The "Request for Employee Protection," submitted on June 30, 2011 provided the required written documentation explaining why an Employee Protection Order should be granted. The allegations warrant further investigation. The employee is alleging that he/she has certain information that needs to come to light, further, the disclosure indicates that there may be malice use of federal ARRA grant money, abuse of authority, gross mismanagement, and retaliation.

It is the decision of the Initial Review Body to GRANT an Interim Protection Order under the Employee Protection Policy and that a closed hearing be held with the Petitioner and the Oneida Personnel Commission. An Employee Protection hearing will get to the truth of the matter, will provide the Petitioner due process and a proper decision will be made based on the evidence presented.

Submitted by:

Genevieve Gollnick 6-30-2011  
Oneida Personnel Commission, Member Date  
Genevieve Gollnick

Shannon Hill 6/30/2011  
Oneida Personnel Commission Member Date  
Shannon Hill

Yvonne Jourdan 4/30/11  
Oneida Personnel Commission Member Date  
Yvonne Jourdan

**Due to the Initial Review Body granting an Order of Protection, the opposing party will not be notified. This is due to the confidential nature of the Employee Protection Act.**

# Attachment B

**Oneida Personnel Commission**

Third Floor Social Service Building  
Telephone: (920) 869-4437 Office

**Date:** September 30, 2011

**Docket #:** 11-EP-002

**Mail Certified to**

Whitney A. Wheelock  
2742 Viking Dr. 3-d  
Green Bay, WI 54304

Oneida Personnel Commission  
Employee Protection  
Decision

**Employee:** Whitney A. Wheelock  
Petitioner

vs.

Dale Frissell Hill  
Supervisor  
Oneida Housing Authority

**Supervisor:** Dale Frissell Hill  
Respondent

\*\*\*\*\*

This Employee Protection case, based on the Oneida Employee Protection Policy, hereafter EPP, has come before the Oneida Personnel Commission; Commissioners Carol Smith, Shannon Powless and Susan G. Daniels presiding. This Commission finds as follows:

**BACKGROUND**

The "Request for Employee Protection," submitted on June 30, 2011 provided the required written documentation explaining why an Employee Protection Order should be granted. The allegations warranted further investigation. The employee is alleging that he has certain information that needs to come to light, further, the disclosure indicates that there may be malice use of federal ARRA grant money, abuse of authority, gross mismanagement and retaliation.

An initial hearing was held on August 4, 2011, to hear testimony from the Petitioner and to review disclosures and evidence. The Petitioner submitted Exhibit B-1 two (2) days prior to the hearing. The Hearing Panel recessed the hearing until August 8, 2011 for the purpose of reviewing the additional materials.

A second hearing was held on August 8, 2011 to further question the Petitioner regarding the Exhibit B-1 submission. It was the decision of the Hearing Panel to ORDER, pursuant to Article IV. 4-1. and 4-5 of the EPP, the Internal Audit Department to complete an investigation regarding the following allegations, which investigation report has been accepted by the OPC, and incorporated verbatim in this Decision:

## **Rule of Law**

According to the Oneida Tribe's Employee Protection Policy:

### **Article IV. Disclosure**

4-7. The appropriate party shall send a written decision to the disclosing party that the disclosure has or does not have merit, along with any further action that will be taken within twenty (20) business days. If a disclosure merits further action, the disclosing party will be notified that they may be called by the appropriate agency to give additional testimony at a closed meeting and on approximately what date. Further, appropriate agencies will follow the hearing procedures set out in the Administrative Procedures Act for a Hearing of Record. Appropriate agencies are authorized to use their full powers to take corrective measures where disclosures merit action, and to utilize all Tribal agencies to effectively correct any and all problems found. This includes, but is not limited to, the following action:

- a. Oneida Business Committee garnishment action to recover lost funds,
- b. Personnel Commission for disciplinary action,
- c. Appeals Commission for appropriate civil actions,
- d. Criminal prosecutions, where indicated, in appropriate federal or state courts.

### **Article V. Protection**

5-1. Any employee who discloses information in the manner described in this policy shall be protected from any and all employment related retaliation to the fullest extent of this Article.

5.2. Any employee who believes that retaliatory action is being taken against them may follow procedures set out below:

- a. This policy supersedes those complaint procedures set out in the Personnel Policy and Procedures Manual and the employee may go directly to their Division Director and state, in person and in writing, or written only, the action that employee believes is retaliatory, or
- b. If a disciplinary action, that employee may go directly to the Personnel Commission with their grievance.

## **Conclusion**

The Oneida Personnel Commission hereby issues the following Order:

1. The Petitioner is Granted Employee Protection for the period of one (1) year beginning with the date of this decision and expiring on September 27, 2012, subject to review by the OPC for good cause shown.

# Attachment E

**Oneida Housing Authority  
OREEP Weekly Log Summary**

Week Ending:06/25/2011

		Jonathon John #14184	Paul Melchert #14958	Mark Stevens #14124	Anthony Gutierrez #12995	Ryan Stevens #15137	James Huff #12743	Hollie Webster #15217
Address	Project ID #	4.50 MH	2.00 MH					
OHA Warehouse		4.50 DC	7.00 RF	4.50 DC	12.50 DW	14.00 FR	40.00 DW	
N6456 Evergreen Drive	0000000074		7.00 FR					
			6.00 PN					
N6457 Evergreen Drive	0000000075		4.50 SI	4.50 DC	12.50 DW	12.00 PN		12.00 FR
W1215 Beechtree Lane	0000000066	4.50 SF	4.00 IN		15.00 DW	14.00 WI		15.00 SD
1148 Chief Hill Drive	0000000125	4.50 MH					5.50 RF	
1129 Chief Hill Drive	0000000120	18.50 RF		9.00 SF				
				11.00 RF				
1131 Chief Hill Drive	0000000121	18.50 RF		9.00 SF			5.50 RF	
				11.00 RF				
1197 Shepards Path	0000000202		8.50 WI					11.00 WI
Vacation								
Personal								
Holiday								
Other (Orientation)								
<b>Total (hrs.)</b>		<b>55.00</b>	<b>39.00</b>	<b>49.00</b>	<b>40.00</b>	<b>40.00</b>	<b>51.00</b>	<b>38.00</b>

IN-Insulate/door/window  
TG-Training  
EA-Energy Auditor  
RF-Roof/tear off/install  
FL-Flooring  
PG-patching

DC-Demo/Clean up  
MS-Miscellaneous  
SF-Spary Foam  
TR-Trim/fascia/soffit  
MH-material handling  
WI-Window/remove/replace

HH-HVAC Helper  
PH-Plumber Helper  
EH-Electrician Helper  
SD-Siding  
DW-Drywall/Framing  
O-Other  
PN-Painting/Sealants  
FR-Walls/Framing/Drywall



**ONEIDA TRIBE OF INDIANS OF WISCONSIN**  
**Human Resource Department**

**Location:**  
909 Packerland  
Green Bay, WI 54303

**Phone:** (920)496-7000  
<http://www.oneidanation.org/humanresources/>



**Mailing Address:**  
P.O. Box 365  
Oneida, WI 54155-0365

**Fax:** (920)496-7490  
**Job Line:** 1-800-236-7050

## **Human Resource Department Interpretation**

**August 19, 2011**

**RE:** Interpretation of Grievance Process Jurisdiction for Employee Protection (*past practice*)

According to the Oneida Employee Protection Policy, an employee that is disciplined while under a protective order may go directly to the Oneida Personnel Commission with their grievance.

1. If a protected employee files their appeal with the Oneida Personnel Commission, no other entity would have jurisdiction of that appeal until a decision is rendered by the Oneida Personnel Commission.
  - a. The Oneida Personnel Commission's decision would either remand the employee appeal back to the Area Manager and notify the Personnel Relations Department and Area Manager of the new grievance timelines; or, hear the case and render a final decision.

Thank you for your time and attention in this matter.

Matthew J. Denny Sr., Personnel Relations Director