

# Ethics Act

A Resolution #040219

WHEREAS, The Wyandotte Nation is a federally recognized tribe of American Indians organized consistent with the Oklahoma Indian Welfare Act (Act of June 26, 1936, 49 State. 1967); and

WHEREAS, The Wyandotte Nation has an organized self government, sovereign powers inherent in tribal traditions and recognized by treaties with the United States and in the United States Constitution; and

WHEREAS, The Wyandotte Nation provides that the Board of Directors is empowered to enact legislation, transact business, and otherwise speak on behalf of the Wyandotte Nation of Oklahoma in all matters on which the Tribe is empowered to act now or in the future; and

WHEREAS, It is the policy of the Wyandotte Nation to recognize that employees, officials, appointees and agents are in positions of trust on behalf of the Nation and must endeavor to exercise the highest qualities of conduct and integrity and confidence on behalf of the Nation and its citizenry.

THEREFORE, BE IT RESOLVED that the Board of Directors of the Wyandotte Nation hereby enacts the Wyandotte Nation Code of Ethics.

## **CERTIFICATION**

The foregoing resolution was duly adopted on February 19, 2004 in a regular session of the Wyandotte Nation of Oklahoma Board of Directors, at which a quorum was declared, by a vote of 6 for; 0 against; and 0 abstaining.

Leaford Bearskin, Chief

Wyandotte Nation of Oklahoma

DATE: February 19, 2004

ATTEST: Juanita McQuiston

## **WYANDOTTE NATION CODE OF ETHICS ACT BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE WYANDOTTE NATION:**

This Act shall be known and may be cited as the "Code of Ethics Act of 2004"

### **Purpose:**

To provide standards of fairness and integrity for all employees, officials, appointees or agents of the Wyandotte Nation while conducting the business of the Nation or while

representing the Nation in their respective capacities; to be in accord with and sensitive to the approved standards of behavior in legal, social or professional codes of conduct.

### **Policy Statement on Business Ethics:**

It is the policy of the Wyandotte Nation to recognize that employees, officials, appointees, and agents are in positions of trust on behalf of the Nation and must endeavor to exercise the highest qualities of conduct and integrity and confidence on behalf of the Nation and its citizenry.

### **General Provisions:**

#### **Definitions:**

**Ethics:** is defined as the discipline dealing with what is right or wrong or with moral duty and obligation.

**Officials:** means the elected officials of the Wyandotte Nation or any sub-committee members appointed by the Board of Directors

**Employees:** means all full-time and part-time employees of the Wyandotte Nation

**Appointees:** one selected for an office or position

**Agents:** means all vendors and/or consultants under contract with the Wyandotte Nation

#### **Procedures:**

Conduct: Every official, employee, appointee or agent of the Wyandotte Nation shall conduct themselves in such a manner to ensure they will:

1. Uphold the Constitution, laws and regulations of the Wyandotte Nation and never be a party to their evasion;
2. Never use his or her position or official capacity in any way to coerce or give the appearance of coercing anyone to provide a financial benefit to himself or herself or another person.
3. Expose corruption wherever discovered.

### **Gifts, Favors, Entertainment and Payments Received by the Wyandotte Nation or received by Tribal Officials, employees, agents or appointees:**

1. Employees may not accept gifts, money or gratuities from persons receiving benefits or service from the Nation or performing services under contract or otherwise in a position to benefit from employee action.
2. Officials, employees, agents or appointees may not seek or accept for himself, herself, or for family member's gifts, favors, entertainment, or payments without a legitimate business purpose which might be construed by reasonable persons as influencing the performance of tribal duties.
3. Gifts of cash or cash equivalents, stocks or other forms of marketable securities of any amount are strictly prohibited.
4. The receipt of common courtesies, sales promotion items of nominal value, occasional meals, and reasonable entertainment appropriate to a tribal business relationship and associated with business discussions are permissible.

### **Gifts, Favors or Payments by the Wyandotte Nation:**

Gifts, favors and payments may be given to others at the Nations expense, if they meet the following criteria.

1. They are consistent with accepted business practices.
2. They are of sufficiently limited value and in form that will not be construed as a bribe or payoff.
3. They are not in violation of applicable law and generally accepted ethical standards; and
4. Public disclosure of the facts will not embarrass the Wyandotte Nation.

**Confidential Information:**

All officials, employees, appointees and agents are responsible for safeguarding and keeping confidential any information that the Nation considers to be of a confidential or sensitive nature. No tribal representative shall disclose proprietary or confidential information to any other person, firm or entity, unless proper authorization for such disclosure is secured in advance from the Chief, Second Chief and/or the Board of Directors. The revelation or use of confidential information, data on decisions, plans or other information that might be contrary to the interest of the Wyandotte Nation without prior authorization is prohibited. The misuse, unauthorized access to, or mishandling of confidential information, particularly personnel information, is strictly prohibited and will subject an associate to the discipline policy up to and including immediate discharge.

**Confidential Information may include but is not limited to:**

1. Financial data
2. Individual employee files
3. Computer programs or software developed by the Nation
4. Grant Applications
5. Terms and conditions of business arrangements between the Nation and others
6. Privilege communications between the Nation and its counsel; and
7. Any other proprietary or confidential information not generally available for the public, whether or not actually designated as such by the Nation.

**Conflicts of Interest:**

The Wyandotte Nation expects all officials, employees, appointees and agents to exercise good judgment "and the highest ethical standards in private activities outside the Nation that could in any way affect the Nation or its interests. They shall at all times exercise particular care that no deterrent to the interest of the Nation may result from a conflict between those interests and any personal or business interest the individual may have. Any potential conflicts of interest must be reported immediately to the appropriate level of management.

**Compliance:**

Any violation of this policy will subject the official, employee, appointee or agents to Administrative disciplinary action or immediate discharge in accordance with the Wyandotte Nation Constitution or Wyandotte Nation Personnel Policy. Any Tribal associate having knowledge on any violation of the policy shall promptly report such violation to the appropriate level of management.

