



RATIFICATION OF APPROVAL OF MWT EXTREME CONDITION HAZARD PAY POLICY

WHEREAS, the Mashpee Wampanoag Tribe (the “Tribe”) is a federally-recognized Indian Tribe with a duly-enacted Constitution; and

WHEREAS, the Mashpee Wampanoag Tribal Council (the “Tribal Council”), the governing body of the Tribe, deems it essential, and is empowered, under Article VI, § 2.A. of the Mashpee Wampanoag Tribal Constitution to promote and protect the health and general welfare of the members of the Tribe; and

WHEREAS, Article VI, § 2.C of the Constitution empowers the Tribal Council to establish procedures for the conduct of all Tribal government business operations; and

WHEREAS, the Mashpee Wampanoag Tribe recognizes the importance of being well prepared for any emergency which may face the Tribe and for partnering with other tribal, local, county, state, and federal entities when circumstances require a coordinated response; and

WHEREAS, the Tribal Council recognizes the threat that the disease caused by the 2019 novel Coronavirus is a contagious, and at times fatal, respiratory disease;

WHEREAS, on January 30, 2020, the World Health Organization designated the 2019 novel Coronavirus outbreak as a Public Health Emergency of International Concern;

WHEREAS, on January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the entire United States to aid the nation’s healthcare community in responding to the 2019 novel Coronavirus (“COVID-19”);

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been detected in the Commonwealth and such transmission is expected to continue;

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and the Commonwealth significantly affect the life and health of our people, as well as the economy, and is a disaster that impacts the health, security, and safety of the public;

WHEREAS, on March, 13th 2020, President Trump declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”).

WHEREAS, on March 16, 2020, Tribal Council took additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the people of the Tribe by declaring a STATE OF EMERGENCY;

WHEREAS, Congress has allocated funds to assist Tribes under Section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief and Economic Security Act (“CARES Act”) established to provide funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency; and

WHEREAS, on April 21, 2021, the Tribal Council adopted 2021-RES-016, *Approval of MWT Extreme Conditions Hazard Pay Policy*, an interim policy to be known as the “Extreme Condition Hazard Pay Policy” to address those essential employees that are placing their health and safety at risk to provide essential services to the Tribe and to replace any and all previous policies related to hazardous pay for essential employees (the “Hazard Pay Policy”);

WHEREAS, the Hazard Pay Policy addresses the increased COVID-19 exposure of essential employees when the positivity rate is 5% or higher and the desire to fairly compensate essential employees for continuing to perform their job functions despite the increased risk with a supplement known as Extreme Condition Hazard Pay (the “ECHP”);

WHEREAS, Tribal Council desires to allocate funds from the CARES Act to compensate essential employees through ECHP in accordance with the Hazard Pay Policy during this STATE OF EMERGENCY;

WHEREAS, Tribal Council desires to ratify and confirm the adoption of the Hazard Pay Policy in order to implement ECHP and in accordance with the parameters set forth in the Hazard Pay Policy and resulting from the high risk caused by COVID-19 and this STATE OF EMERGENCY;

BE IT RESOLVED, the Tribal Council hereby ratifies, affirms, confirms and approves the Extreme Condition Hazard Pay Policy in substantially the form attached hereto as Exhibit A.

Effective immediately and until revoked or modified by the Tribal Council, pursuant to the authority vested in the Tribal Council pursuant to Article VI, Section 2.A. and D. of the Consitution of the Mashpee Wampanoag Tribe.

All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and shall continue in effect during the entire Grant period from the date below pursuant to the authority vested in the Tribal Council pursuant to Article VI, §§ 2.A. and D of the Constitution of the Mashpee Wampanoag Tribe.

CERTIFICATION

We, the undersigned Presiding Officer and Secretary of the Mashpee Wampanoag Tribal Council, do hereby certify that the Tribal Council is composed of 13 members of whom 9, constituting a quorum, were present at a Special meeting thereof, duly and regularly called, noticed, convened, and held on the 9th of June, 2021, and that the foregoing resolution was duly adopted by the affirmative vote of 6 members, with 0 opposing, and with 2 not voting.

DATED this 9th day of June, 2021



Brian Weeden, Chairman
Mashpee Wampanoag Tribal Council

ATTEST:



Cassie Jackson, Secretary
Mashpee Wampanoag Tribal Council

EXHIBIT A
EXTREME CONDITION HAZARD PAY POLICY