



OSAGE NATION CONGRESS  
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MEMBERS OF CONGRESS  
ELI POTTS ~ JOE TILLMAN ~ JOHN MAKER

Joint Statement- For Immediate Release  
Employment Security  
3/4/2021 1:30PM

**The Osage Nation-** Many employee departures from the Standing Bear Administration appear to have gone unreported and almost no scrutiny is being placed on executive decisions and how they impact the operations of the Osage Nation. We believe employees deserve protections, and those protections are being actively stripped away through executive memorandums from this administration.

We are calling attention to the positions of the Standing Bear administration that place employee rights aside, could easily create a hostile work environment, and are negatively impacting employee morale. Executive memorandums openly violate Osage law and place the workforce of the Osage Nation in jeopardy.

We have attached a copy of the executive memorandum issued 2/18/2021 by Principal Chief Geoffrey Standing Bear. It states that, "any personnel decision directly from the Principal Chief is exempted from any personnel policy or procedure. In that regard, any employee of the Executive Branch, is an employee at will of the Principal Chief until further notice."

Osage law states the following, "all full-time and part-time employees of the Osage Nation shall be merited employees, including those with employment contracts." By asserting that "any employee... is an employee at will" the Principal Chief is circumventing Osage Law at 19 ONC 3-104. Additionally, the memorandum issued by the Chief ignores protections in Osage law at 19 ONC 3-108 and 3-109 that guarantee employees a grievance procedure (as mandated by the Constitution) and the protections of due process.

"The Chief's new, "at-will policy," is truly concerning, dangerous, and unfair to the employees of the Nation." Said Congressman Potts. The news is more troubling as it comes on the heels of a high-level departure within the Osage Nation Office of Human Resources. The Congress received word on 2/2/2021 that "Effective immediately", an acting Director of Human Resources had been named by Chief Standing Bear. "It's not thirteen business days later that we see a major suspension of Osage law by executive order, specifically regarding the suspension of human resources policy and procedure... you really think that's a coincidence?" said Congressman Potts.

"Simply put, these employees work for the Nation, not at the will of the Standing Bear Administration. Their service to this Nation should not be dependent upon who is currently serving as the Chief of the Nation. Employees of the Nation deserve stability and deserve workforce protections" Congressman Potts continued.

The Nation has seen plenty of high-level departures and it should be concerning. Including many leadership positions within the Education Department, the Immersion School, the Treasury Department, the Attorney General's office, the Accounting department, Human Resources, the Osage Nation Ranch Board, LLC and Enterprise Boards, the Health Authority Board, and others. "Each employee we lose, is lost institutional wisdom, years of dedication and service. It's troubling." said Congressman Maker. "As a former employee, we should do everything we can to protect the employees" he continued.

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In one instance, budgetary information indicates that an employee was earning a salary of approximately \$119,953 before an additional \$24,522 in benefits for a total compensation of approximately \$144,475 annually. This represented a 30.23% increase in salary from two previous fiscal years where the salary alone for that position was \$92,106 before benefits. "That represents a huge investment in an employee! And to find out that employee left anyway, or was terminated, we still don't know- We have high salaries, we have great benefits, I just don't understand why so many people have left the Nation" said Congressman Maker.

Congressman Tillman states "It was only months earlier, when I was serving as the Speaker, we met with some Executive Branch officials including Chief Standing Bear, Assistant Chief Red Corn, and then Second Speaker Stabler among others. Chief Standing Bear was conveying how vital the previously referenced employee's services were to the Nation and how we [the administration] had to pay this employee even more money to make sure they didn't take an offer with another company." "It was even said to me by Treasurer Littleton that he was grooming that same individual to take over his job as Treasurer of the Osage Nation" Tillman continued.

"We've also been told that many of these departures include settlement payments, for which the Congress has never appropriated money. Why is the administration directing monetary settlements to certain terminated employees, without Congressional appropriation, and where is this money coming from? Our funds are to serve the people, not pay the administration's undesirable employees to go away, and if they are being terminated, surely it was for cause- why are we paying out settlements? I don't know of anyone who has been fired for poor performance who then receives a separation settlement, that's absurd." said Congressman Potts.

Congressman Tillman also stated "We've got a Chief that believes he can hire and fire whomever he wants "at-will" and that's not his role. I believe Congress deserves more clarity and a better explanation as to who these potential settlement payments are going to, why, and what steps we can take to prevent such waste. We've put protections in place, through law, and it appears the law is being tossed aside by executive memorandum. That is unacceptable."

It is our hope that the Chief will reverse this "at will" policy and provide the employees the protections they deserve. The employees of the Osage Nation should be concerned with delivering the best service possible to the citizens of the Osage Nation, not satisfying the whim of the Principal Chief. After all, these protections are explicitly enumerated in the Osage Constitution and are enshrined in Osage law. We remain concerned with the decision to suspend protections that have dutifully been put in place since the inception of this government.

"When the Chief declares that 'any employee of the Executive Branch, is an employee at will of *the Principal Chief* until further notice' ... This creates an allegiance to the Chief not to the cause of serving our people, it creates fear in the employees, and it's a power grab that should be checked by the other branches of government." Said Congressman Potts.

Our hope is that other Members of Congress will be equally outraged by the Standing Bear administration's outright rejection of a law he signed to guarantee employee protections such as a procedural due process that is created by the Human Resources Department, not by executive memorandum.

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Geoffrey M. Standing Bear  
Principal Chief

**Osage Nation**  
Office of the Principal Chief



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Raymond Red Corn  
Assistant Principal Chief

**EXECUTIVE MEMORANDUM**

**Date:** February 18, 2021

**To:** Julie Gilmore, Acting HR Director

**CC:** Raymond RedCorn, Assistant Principal Chief  
Clint Patterson, Attorney General  
Terry Mason Moore, General Counsel  
Casey Johnson, Director of Operations  
Jason Zaun, Chief of Staff

**From:** Principal Chief Geoffrey Standing Bear

**RE:** Exemption from Personnel Policy and Procedure

Under the supreme executive power vested in the Principal Chief by the Osage Constitution, any personnel decision directly from the Principal Chief is exempted from any personnel policy or procedure. In that regard, any employee of the Executive Branch, is an employee at will of the Principal Chief until further notice.

Due process will be provided to any affected employee at a scheduled interview with the Principal Chief. Except for those decisions by the Principal Chief the remaining provisions of personnel policy and procedures are still in effect.

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