OFFICE OF THE TRIBAL CHIEF CYRUS BEN
101 Industrial Road • P.O. Box 6010 • Choctaw, Mississippi 39350
Phone: (601) 656-5251 • Fax: (601) 650-1606

EXECUTIVE ORDER NO. 2020-01

WHEREAS, on March 15, 2020, pursuant to an Executive Order and State of Emergency Proclamation authorized by Ordinance 50-A, I issued a Proclamation declaring that a State of Emergency exists on the Tribal lands of the Mississippi Band of Choctaw Indians ("MBCI"); and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; on March 13, 2020, the President of the United States declared a nationwide State of Emergency due to the COVID-19 pandemic; and on March 14, 2020, Mississippi Governor Tate Reeves declared a State of Emergency in Mississippi; and

WHEREAS, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of novel coronavirus ("COVID-19") in Mississippi and as of March 20, 2020, eighty (80) positive cases have been identified in Mississippi; and

WHEREAS, COVID-19 is a threat to the members of the Tribe and the Choctaw culture, particularly Tribal elders and those with compromised immune systems, as well as a threat to thousands of Tribal employees and visitors, and actions must be taken to alleviate the impact of COVID-19 on tribal lands; and

WHEREAS, Section VI(8) of Ordinance 50-A authorizes the Tribal Chief to place restrictions on the "operation of offices, business establishments or other places to or from which people may travel or which they may congregate," in response to an actual or threatened emergency which may endanger the lives, safety, health or welfare of the people on Tribal trust lands, or any part thereof; and

WHEREAS, it is in the best interest of the MBCI that government offices operate on limited staffing to restrict the number of employees working to minimize the interaction and risk of possible transmission of COVID-19 between employees within governmental offices and between governmental employees and members of the public;

NOW, THEREFORE, I, Cyrus Ben, Chief of the Mississippi Band of Choctaw Indians, pursuant to the authority of Ordinance 50-A, do hereby order and direct as follows:

1. That due to the State of Emergency, all MBCI divisions, departments, offices, programs, commissions and Choctaw Tribal Schools are directed to promptly review and identify which employees perform critical duties to carry out the entity's essential functions during the State of Emergency. Department Directors are instructed to develop a telework

plan for their departments and employees who are performing critical duties, in the event the situation necessitates that additional employees leave their offices and work remotely; and

2. That Choctaw Tribal Schools immediately begin working with the Bureau of Indian Education and other accreditation agencies to develop and implement distance learning or other instructional means to achieve completion of essential grade-level instruction for the 2019-2020 school year; and

3. That Choctaw Tribal Schools and the Choctaw Elderly Program shall, where feasible and with proper precautions and appropriate social distancing, maintain sufficient staff to prepare and distribute free and reduced meals to eligible children and elders; and

4. That due to the State of Emergency, directors of MBCI divisions, departments, offices, programs, commissions and the Choctaw Tribal Schools may grant leave to their employees, with pay for any one or more of the following reasons, in the discretion of the Director:

    A. The period of time that the Director has determined the employee's duties are deemed non-critical during the State of Emergency;
    B. The period of time that the employee or a member of their immediate household has been placed in quarantine or isolation as a result of being diagnosed with COVID-19;
    C. The period of time that the employee, due to ongoing medical conditions or age considerations, or pregnancy could be at high risk contracting COVID-19;
    D. The period of time that the employee needs to care for a minor child who has a medical condition, as documented by a health care professional, that makes the child a high risk of contracting COVID-19; and
    E. The period of time that the employee needs to be tested for COVID-19 or testing for a member of their immediate family and the time until results are received;
    F. Other reasons as determined by the Director in consultation with a health care professional to prevent the risk of possible transmission of COVID-19 within the employee's workplace.

The Director is required to maintain appropriate documentation for any employee who has been granted leave for one of the above-cited reasons;

SO ORDERED, THIS THE 20th DAY OF MARCH, 2020.

CYRUS BEN, TRIBAL CHIEF

TRIBAL SEAL