

Cherokee Nation Code Annotated

Title 40: Labor and Employment

Chapter 9: Minimum Wage

§ 903. Definitions

Cite as: 40 CNCA § 903

A. **"Cherokee Nation"** means all three (3) branches of the government of Cherokee Nation as established by the 1999 Constitution, the seat of which is located at Tahlequah, Oklahoma, and includes all departments, commissions, agencies, and instrumentalities thereof.

B. **"Employ"** means to suffer or permit to work.

C. **"Employee"** means any individual employed by an employer but shall not include:

1. an individual employed on a farm in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement or maintenance of such farm and its tools and equipment;
2. any individual working as a volunteer;
3. any employee of any carrier subject to regulation by Part I of the Interstate Commerce Act (see Revised Title 49, U.S.C.);
4. any employee employed in a bona fide executive, administrative or professional capacity, or in the capacity of outside salesman;
5. any person who is less than eighteen (18) years of age and is not a high school graduate or a graduate of a vocational training program, and any person who is less than twenty-two (22) years of age and who is a student regularly enrolled in a high school, college, university or vocational training program;
6. any person who is working with Cherokee Nation as part of a training program, summer youth program, as an temporary intern, or to receive educational credit; or
7. any individual working as a reserve Marshal.

D. **"Employer"** means Cherokee Nation and any government-owned company.

E. "**Government-owned company**" means any entity which is wholly-owned by Cherokee Nation regardless of location of the entity, or any corporation or entity in which Cherokee Nation owns a controlling interest and which is located within Cherokee Nation jurisdiction.

F. "**Wage**" means compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges or allowances as may be permitted by law.

Historical Data

LA 33-06, eff. November 20, 2006.