

**Cherokee Nation Code Annotated**  
**Title 51: Officers and Employees**  
**Chapter 10: Employee Access to Justice**  
**§ 1003. Definitions**  
Cite as: 51 CNCA § 1003

As used in the Employee Access to Justice Act:

- A. **"Act"** shall mean the Employee Access to Justice Act.
- B. **"Cause to Terminate"** or **"Cause to Demote"** shall have the meaning as set forth in the policies and procedures of the Cherokee Nation and included entities, or as defined herein, or by the Human Resource Director and approved by the Principal Chief or included entities' CEO.
- C. **"Demotion"** or **"Demoted"** or **"Demote"** shall mean involuntary reduction in base pay of an employee within the Cherokee Nation or included entities.
- D. **"Demoted Employee"** shall mean an employee who received an involuntary reduction in base pay.
- E. **"District Court"** shall mean the trial court of Cherokee Nation.
- F. **"Employee"** shall mean a person who has been directly employed by the Cherokee Nation or included entities on a regular, permanent, full-time basis for at least one (1) continuous year immediately prior to termination or involuntary demotion. This term shall not include part-time, seasonal, temporary, or limited-term contract employees, regardless of the length of the contract.
- G. **"Executive Director"** shall mean the managing director of a department or agency of the Cherokee Nation or included entities.
- H. **"Former Employee"** shall mean an employee who was involuntarily terminated from employment.
- I. **"Human Resources Director"** shall mean the Human Resources Director of the Cherokee Nation or included entities, or his or her designee.
- J. **"Included Entities"** shall mean any company, corporation, or other for profit business entity owned by the Cherokee Nation, including but not limited to Cherokee Nation Businesses, LLC, Cherokee Nation Entertainment, LLC, and Cherokee Nation Industries, LLC. This term shall not include specialized authorities and entities created by the Legislature, such as, but not limited to, the Arkansas Riverbed Authority.

K. **"Parties to Suit"** may include a former or demoted employee and the Cherokee Nation or the applicable included entity from which the employee was terminated or demoted.

L. **"Termination" or "Terminated"** shall mean the involuntary severance of an employee from employment. This term shall not include current employees who resign their employment, employees who are separated due to lack of work, lack of funds or downsizing, employees who failed to report for their scheduled shift for three (3) consecutive days without notifying their supervisor or Human Resources representative, or employees who do not return to work after a job-protected leave expires.

Historical Data

LA 30-17, eff. November 21, 2017.