

**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

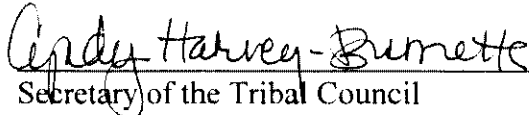
- WHEREAS,** the Tribe has adopted personnel policies to govern and establish standards for employee conduct, benefits, and job performance; and
- WHEREAS,** the policies do not include a policy and procedure specifically for reporting alleged instances of sexual harassment; and
- WHEREAS,** a harassment policy and reporting procedure would give additional and further notice to all employees that any conduct of sexual harassment is not tolerated; and
- WHEREAS,** workshops conducted by the Human Resources Division would also be very helpful in educating the Tribal workforce about sexual harassment; and
- WHEREAS,** the policy and reporting procedure would provide a method for employees who may be victims of such conduct to report the conduct; and
- WHEREAS,** the Tribal Council concludes that the Sexual Harassment Policy, attached herein, would benefit Tribal employees and should be implemented immediately; and
- WHEREAS,** the Tribal Council also concludes that similar policies should be in effect with all employers within the reservation.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Sexual Harassment Policy, attached herein, for immediate adoption into the Tribal Personnel Policies and Procedures.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it directs the Human Resources Director to notify all affected Tribal Enterprises and Departments of the amendment to the Personnel Policies and Procedures approved herein, adopting the Sexual Harassment Policy, and to further provide a copy of the policy to all Tribal Departments and Enterprises.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it directs the Tribal Human Resources Division to schedule orientation sessions conducted by outside consultants if necessary, for all Tribal employees on the topic of sexual harassment.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it directs that these polices governing sexual harassment shall also be required for all employers over whom the Tribe has jurisdiction through its TERO office, and that any other employer which is exempt under the TERO code is also encouraged to ensure that similar standards are adopted to protect all employment within the Fort Apache Indian Reservation.

The foregoing resolution was on July 2, 1998 duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (i), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
Chairman of the Tribal Council

JUL 14 1998

  
Secretary of the Tribal Council

## SEXUAL HARASSMENT POLICY

### PURPOSE

It is the policy of the White Mountain Apache Tribe to maintain a work environment for its employees which is free from Sexual Harassment. Accordingly, this Sexual Harassment Policy is established under the Tribal Personnel Policies and Procedures Manual.

### DEFINITION

For the purpose of this Policy, "Sexual Harassment" means any conduct consisting of unwelcome sexual advances, requests for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature in which:

- i) Submission to such conduct is made a term or condition of employment; or
- ii) Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- iii) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of Sexual Harassment may include the following:

- i) Telling sexual jokes or using sexually vulgar or explicit language;
- ii) Touching or grabbing any part of an individual's body after that person has indicated, or it is known, that such physical contact is unwelcome;
- iii) Continuing to ask an individual to socialize, whether on or off duty, when that individual has indicated he or she is not interested; or
- iv) Displaying sexually suggestive pictures, cartoons, calenders, objects, gestures or graffiti.

### POLICY

Sexual Harassment of employees and applicants for employment shall not be tolerated. The White Mountain Apache Tribe will take disciplinary action, up to and including termination of employment, based upon the severity of the conduct, against any employee who is found to violate this Policy.

### COMPLAINT PROCEDURE

An employee or applicant for employment should promptly report work related Sexual Harassment to his or her supervisor, or to the Tribal Personnel Department. If the issue cannot be resolved informally, the employee shall be asked to submit a written complaint to the Personnel Department, and sign a release authorizing a review of the complaint. The Personnel Department will promptly investigate the complaint and take action to resolve the complaint consistent with this Policy. The investigation and other action taken pursuant to the complaint shall be kept as confidential as reasonably possible, consistent with this Policy. No employee or applicant for employment will suffer reprisals for reporting any incident of sexual harassment pursuant to this Policy, if made in good faith.