

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

- WHEREAS, the Tribal Council, pursuant to the Constitution of the Tribe, exercises authority over all matters concerning the welfare of the Tribe and its people; and
- WHEREAS, the Tribe, under the direction of the Council, actively manages a vast land base of more than 1.6 million acres, and operates numerous programs, departments and enterprises to provide essential government services, a broad array of programs, and a diverse mix of economic enterprises to perpetuate the health, welfare and well-being of the Apache people; and
- WHEREAS, these numerous programs and activities require a well-defined management structure, with ultimate review and oversight by the governing body of the Tribe, the White Mountain Apache Tribal Council; and
- WHEREAS, the Tribal Council must carefully allocate its meeting time in order to address the broad range of issues affecting the Tribe and its many Tribal departments, programs, and enterprises; and
- WHEREAS, Tribal Council concludes that new measures must be enacted to ensure the efficient use of Council meeting time, providing an opportunity to all Tribal members on an orderly and equal basis to bring issues of concern before the Tribal Council, and to ensure that Tribal departments and programs have the opportunity to brief the Council on matters of importance to the Tribe; and
- WHEREAS, without such measures to regulate the conduct of Council meetings, the Tribe experiences delays in bringing important matters before the Council for consideration, resulting in reduced oversight, increased costs, as well as hardships for Tribal members seeking to present matters to the Council because of unanticipated scheduling conflicts and delays; and
- WHEREAS, to enhance the use of Council meeting time to address issues of concern to the entire membership of the Tribe, the Tribal Council hereby reaffirms the use of authorized procedures and Tribal staff to carry out preliminary work and services to respond to issues which may be raised before the Council, and accordingly, the Council directs that all Tribal departments, programs, and enterprises comply with such procedures, including personnel policies, grievance procedures, cash handling procedures, as well as the requests and directives from central Tribal staff necessary to carry out and implement such procedures; and
- WHEREAS, this directive is intended to increase and enhance accountability within the Tribal government, improve the delivery of services for the Tribe, and ensure that the Tribal Council is available to all members and important Tribal business on a balanced basis to meet the goals and policies of the Tribal Council; and

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WHEREAS, for those reasons, the Tribal Council enacts the following regulations to its meeting process and Tribal operating procedures.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby adopts the following conditions for Tribal Council meetings and Tribal procedures:

1. Grievance Hearings: All grievance appeals before the Tribal Council shall be held at a time that is consistent with the Tribal Council's schedule, as allowed under the Grievance Procedures. Council scheduling demands may at times require that grievance appeals be held on a different date than requested by the individual filing the grievance, and may be scheduled in succession with other grievance reviews to clear the remainder of the Council calendar for other business. This will ensure that both sides of a grievance dispute are able to attend the hearing and permitted to present information to the Council.
2. Appointment of Additional Grievance Committee Members: In order to accommodate the scheduling of hearings before the Tribal Grievance Committee, the individuals identified in the attachment to this resolution are appointed as members of the grievance panel, to be selected for grievance hearings on a rotating basis as designated in the Tribe's Grievance Procedures.
3. Grievance Procedure Review: The Tribal Council directs that the Tribe's Grievance Procedures shall be reviewed and discussed in a special session of the Council for the purpose of making modifications to the grievance procedures as further discussed on this date.
4. Back Pay: To ensure that the resources of the Tribe, including its financial resources, are preserved and allocated fairly for the benefit of the entire Tribal membership, the Tribal Council hereby establishes from this date forward a strict limitation on the payment of back pay for any Tribal employee, whether a current employee or former employee, for any payment greater than the amount of two pay periods, and then only if established with conclusive proof and review. Further, any back pay request greater than two pay periods will require additional review from the affected Tribal department or enterprise, the Tribe's financial officers, including the Tribal Treasurer and Tribal Controller, a verification from the Human Resource Director on the procedures through the grievance process that led to the request for back pay, and a review by the Tribal Legal Department to verify a credible and valid legal claim against the Tribe to justify the back pay request. Without such review and documentation, back payment requests shall not be granted.
5. Enforcement of Tribal Procedures: To promote effective use of Council meeting time, utilization of staff resources, and to enhance accountability

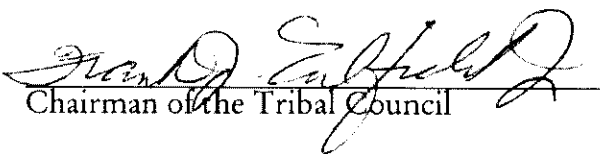
within the Tribal management structure, the Tribal Council hereby reaffirms existing Tribal operating procedures, including personnel policies, grievance procedures, cash handling procedures, and hereby directs and reaffirms that central Tribal staff are authorized, as consistent with their job positions, to request and receive information, and direct compliance as necessary to implement the Tribal policies and procedures. This will promote the clarification and resolution of many issues before they come to the Council. In addition, to assure that all parties to grievance proceedings are treated fairly and with due process, the Tribal Council hereby reaffirms that all grievances will be conducted in strict compliance with the established White Mountain Apache Tribe Employee Grievance Procedures.

6. Allocation of 15 Minutes Per Request for Tribal Member Business: In order to assure that all Tribal members who seek to appear before the Tribal Council have an opportunity to make their presentation, the Tribal Council shall limit Tribal member business to 15 minutes per issue. This amount of time should be adequate to fully advise the Council on the issue, allow for Council questions, and identify a solution or response to the issue. After hearing the issue, the Tribal Council will generally delegate these issues to administrative staff and committees it has established to better accommodate the concerns of the people.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it directs the Human Resource Director to notify all Tribal departments, programs and enterprises of this resolution and the regulations and conditions enacted this date, and to prepare proposed amendments to the grievance procedures for review by the Council at a later date.

The foregoing resolution was on January 10, 2003 duly adopted by a vote of SEVEN 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), (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).

ACTING

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council