

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

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(Approval of back pay request for Tribal Member Brian K. Bonito)

WHEREAS, Brian K. Bonito requested back pay from Fort Apache Timber Company (FATCO) for differentials in past wages; and

WHEREAS, Mr. Bonito was hired August 04, 2003 as a Common Laborer with the Clean Up Crew at \$6.50 per hour; and

WHEREAS, during the period of Mr. Bonito's employment at FATCO, all Form E's were pending for approval due to budget constraints; and

WHEREAS, Mr. Bonito was removed due to 4th warning violation for failure to show for work effective May 27, 2004; and

WHEREAS, Mr. Bonito did receive a promotion after serving his 90 days probationary period to a Yard Equipment Operator at \$10.29 per hour effective December 01, 2003; and

WHEREAS, Mr. Bonito has not received any back pay; and

WHEREAS, Tribal Resolution No. 01-2003-13 states a limit of two pay periods on back pays; and

WHEREAS, Mr. Bonito has appealed to the Tribal Council for his full back pay; and

WHEREAS, FATCO verifies Mr. Bonito is owed \$1,210.91 in back wages according to the calculation attached and incorporated by this reference.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the back pay request of Brian K. Bonito in the amount of \$1,210.91 according to the calculation provided by FATCO.

The foregoing resolution was on February 2, 2005, 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), (h), (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).

RECEIVED

FEB 14 2005

FORT APACHE INDIAN AGENCY
WINTERVER, ARIZONA

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Chairman of the Tribal Council

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Secretary of the Tribal Council

SUPERVISOR:
PLEASE COMPLETE AND INITIAL

WHITE MOUNTAIN APACHE TRIBE
DIVISION OF HUMAN RESOURCES
PERSONEL DEPARTMENT
P.O. BOX 700
Whiteriver, Arizona 85941

RECEIVED
DEC 29 2004

TWO FORMS OF ID _____
W-4 _____
I-9 _____
JOB ANNOUNCEMENT # _____

NOTICE OF PERSONNEL ACTION

DIVISION OF HUMAN RESOURCES
PERSONNEL DEPARTMENT

1. NAME (Last, First, Middle) BONITO, BRIAN K.		2. DATE OF BIRTH 03/25/75		3. SOCIAL SECURITY NUMBER 527-65-5284	
4. CURRENT MAILING ADDRESS: (Any change in address, notify your supervisor as it will affect where your mail is sent. Not responsible for mail not received due to non updates by employee) P.O. BOX 1674 , WHITERIVER , ARIZONA 85941					
5. APPOINTMENT ____ Regular Full-Time ____ Temp. Appt. NTE _____ ____ OTHER (Part Time) (On Call)		TERMINATIONS ____ Resignation ____ Layoff until _____ <input checked="" type="checkbox"/> Removal (Other) Specify _____		STATUS CHANGES ____ Name Change Only ____ Address Change If Name Change or Address Change Only, please complete items 1-5 sign and date it)	
PROMOTION AFTER SERVING 90 DAYS PROBATIONARY PERIOD					
6. POSITION TITLE		FROM COMMON LABOR		TO YARD EQUIPMENT OPERATOR	
7. SALARY / WAGE RATE		\$ \$6.50 PER HOUR		\$ \$10.29 PER HOUR	
8. JOB LOCATION		FORT APACHE TIMBER COMPANY		FORT APACHE TIMBER COMPANY	
ACCOUNT #		004-045-7170-000		004-045-7170-000	
9. WMA PREFERENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		OTHER TRIBE <input type="checkbox"/> YES <input type="checkbox"/> NO		NAME OF FEDERALLY RECOGNIZED TRIBE:	
10. SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F		11. EFFECTIVE DATE 12/1/2003			
12. RETIREMENT PLAN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		13. EMPLOYEE HEALTH BENEFITS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		14. ANNUAL LEAVE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
		SICK LEAVE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input checked="" type="checkbox"/> FATCO ACCRUAL <input type="checkbox"/> CASINO ACCRUAL	
If items 12-14 are marked "yes" employee must attend orientation provided by Personnel prior to 31st day of employment.					
15. SUBJECT TO PROBATIONARY PERIOD ENDING: (Specify Date) (All positions subject to probationary periods)					

16. REMARKS: (Write your status changes here) Promotion, Demotion, Return to duty, Suspension, etc.) Short Term Pay Adjustments should use SHORT TERM FORM E.

01/03/05

17. SIGNATURE / TITLE OF APPOINTING OFFICER Mary Classay, General Manager		DATE 12/28/04
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- 18. Code of Conduct: Employees of the White Mountain Apache Tribe are expected to conduct themselves on and off the job in a manner which will bring credit to the organization. It is the responsibility of the employee to notify his supervisor if he cannot report to work or has to leave his regular tour of duty.
- 19. Confidentiality Code: Employees shall not disclose confidential information without prior authorized approval. Any unauthorized disclosure shall result in disciplinary action, including but not limited to termination.
- 20. Sexual Harassment Policy: The policy of the WMA Tribe is to maintain a work environment that is free from Sexual Harassment. Sexual Harassment shall not be tolerated.
- 21. Drug/Alcohol Free Workplace Policy: The policy of the WMA Tribe is to maintain a work environment that is free from Drugs and/or Alcohol.
- 22. I have received a copy of the Employee Personnel Manual. I agree to comply with all conditions set forth in this notice and the Employee Personnel Manual.

I have read the above & will comply _____ Date _____
Employment with the tribe is not federal employment and shall not be credited as such in any way.

RETRO FOR: BONITO, BRIAN

EFFECTIVE DATE: 12/01/03

TERMINATED ON: 04/27/04

DATED: JANUARY 12, 2005

PAYROLL	HOURS	DIFF. RT	AMT	END DATE
PR 17	16	3.79	\$ 60.64	13-Dec
PR 18	0	3.79	\$ -	27-Dec
PR 19	24	3.79	\$ 90.96	10-Jan
PR 20	0	3.79	\$ -	24-Jan
PR 21	0	3.79	\$ -	7-Feb
PR 22	32	3.79	\$ 121.28	21-Feb
PR 23	63.5	3.79	\$ 240.67	6-Mar
PR 24	40	3.79	\$ 151.60	20-Mar
PR 25	66	3.79	\$ 250.14	3-Apr
PR 26	65	3.79	\$ 246.35	17-Apr
PR 01	13	3.79	\$ 49.27	1-May
	319.5		\$ 1,210.91	

PAYROLL	HOURS	RATE	AMT
PR 17	16	\$ 6.50	\$ 104.00
PR 18	0	\$ 6.50	\$ -
PR 19	24	\$ 6.50	\$ 156.00
PR 20	0	\$ 6.50	\$ -
PR 21	0	\$ 6.50	\$ -
PR 22	32	\$ 6.50	\$ 208.00
PR 23	63.5	\$ 6.50	\$ 412.75
PR 24	40	\$ 6.50	\$ 260.00
PR 25	66	\$ 6.50	\$ 429.00
PR 26	65	\$ 6.50	\$ 422.50
PR 01	13	\$ 6.50	\$ 84.50
			\$ 2,076.75

PAYROLL	HOURS	NEW RT	AMT
PR 17	16	\$ 10.29	\$ 164.64
PR 18	0	\$ 10.29	\$ -
PR 19	24	\$ 10.29	\$ 246.96
PR 20	0	\$ 10.29	\$ -
PR 21	0	\$ 10.29	\$ -
PR 22	32	\$ 10.29	\$ 329.28
PR 23	63.5	\$ 10.29	\$ 653.42
PR 24	40	\$ 10.29	\$ 411.60
PR 25	66	\$ 10.29	\$ 679.14
PR 26	65	\$ 10.29	\$ 668.85
PR 01	13	\$ 10.29	\$ 133.77
			\$ 3,287.66

\$ 3,287.66
 \$ 2,076.75 AMOUNT PAID
\$ 1,210.91 AMOUNT DUE

PR 4 (200") 05/01

Pgm: RTIM001 *** White Mountain Apache Tribe *** 12/28/04
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 16:26:00

BONITO, BRIAN K. 527655284
Regular Rate: 6.500 Overtime Rate: 9.750

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		5.00		8.00			
Overtime..:							
S/A Leave:							

Week #2: (A=Annual Leave, E=Education Leave, S=Sick Leave)

Regular...:							
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

=REG== ANNUAL =SICK= TOTAL

Reported Tips: _____ Total Regular Time: 13.00 13.00
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . .

CMD: F3=Exit F10=Update F12=Return without Update

PR 26 (031) 04/17

Pgm: RTIM001 *** White Mountain Apache Tribe *** 12/28/04
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 16:24:41

BONITO, BRIAN K. 527655284
Regular Rate: 6.500 Overtime Rate: 9.750

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		8.00	8.00	4.00	3.00	9.00	4.00
Overtime..:							
S/A Leave:							

Week #2: (A=Annual Leave, E=Education Leave, S=Sick Leave)

Regular...:		8.00	8.00	5.00	8.00		
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

=REG== ANNUAL =SICK= TOTAL

Reported Tips: _____ Total Regular Time: 65.00 65.00
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . .

CMD: F3=Exit F10=Update F12=Return without Update

PR 25 (03/1) 04/03

Pgm: RTIM001 *** White Mountain Apache Tribe *** 12/28/04
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 16:24:25

BONITO, BRIAN K. 527655284
Regular Rate: 6.500 Overtime Rate: 9.750

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00	4.00	8.00	8.00	
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:			10.00	10.00	10.00		
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)
=REG== ANNUAL =SICK=

Reported Tips: _____ Total Regular Time: 66.00 TOTAL 66.00
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . :

CMD: F3=Exit F10=Update F12=Return without Update

PR 24 (03/1) 03/20

Pgm: RTIM001 *** White Mountain Apache Tribe *** 12/28/04
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 16:22:33

BONITO, BRIAN K. 527655284
Regular Rate: 6.500 Overtime Rate: 9.750

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00	8.00	4.00	8.00	4.00
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:							
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)
=REG== ANNUAL =SICK=

Reported Tips: _____ Total Regular Time: 40.00 TOTAL 40.00
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . :

CMD: F3=Exit F10=Update F12=Return without Update

PR 23 (03/04) 03/06

Pgm: RTIM001 *** White Mountain Apache Tribe *** 12/28/04
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 16:17:45

BONITO, BRIAN K. 527655284
Regular Rate: 6.500 Overtime Rate: 9.750

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00	8.00	8.00	3.30	4.00
Overtime.:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:		8.00	8.00	8.00			
Overtime.:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

	=REG=	ANNUAL	=SICK=	TOTAL
Reported Tips:				63.30
Banquet Tips.:				63.30
Total Regular Time:	63.30			
Premium Pay:				
Total Overtime . . .:				

CMD: F3=Exit F10=Update F12=Return without Update

PR 22 (3/04) 02/21

Pgm: RTIM001 *** White Mountain Apache Tribe *** 12/28/04
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 16:17:26

BONITO, BRIAN K. 527655284
Regular Rate: 6.500 Overtime Rate: 9.750

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:							
Overtime.:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:			8.00	8.00	8.00	8.00	
Overtime.:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

	=REG=	ANNUAL	=SICK=	TOTAL
Reported Tips:				32.00
Banquet Tips.:				32.00
Total Regular Time:	32.00			
Premium Pay:				
Total Overtime . . .:				

CMD: F3=Exit F10=Update F12=Return without Update

PR 19 (02/04) 01/10

Pgm: RTIM001 *** White Mountain Apache Tribe *** 12/28/04
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 16:15:33

BONITO, BRIAN K. 527655284
Regular Rate: 6.500 Overtime Rate: 9.750

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		8.00	8.00	8.00			
Overtime..:							
S/A Leave:							

Week #2: (A=Annual Leave, E=Education Leave, S=Sick Leave)

Regular...:							
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)
=REG== ANNUAL =SICK= TOTAL

Reported Tips: _____ Total Regular Time: 24.00 TOTAL 24.00
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . .

CMD: F3=Exit F10=Update F12=Return without Update

PR 20 1/24 = No Time
PR 21 2/07 = No Time

PR 17 (2003) 12/13

Pgm: RTIM001 *** White Mountain Apache Tribe *** 12/28/04
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 16:12:40

BONITO, BRIAN K. 527655284
Regular Rate: 6.500 Overtime Rate: 9.750

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		8.00	8.00				
Overtime..:							
S/A Leave:							

Week #2: (A=Annual Leave, E=Education Leave, S=Sick Leave)

Regular...:							
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)
=REG== ANNUAL =SICK= TOTAL

Reported Tips: _____ Total Regular Time: 16.00 TOTAL 16.00
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . .

CMD: F3=Exit F10=Update F12=Return without Update

No Time for PR 18 (2003) 12/27