Resolution No. 04-2005-75

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

(Approval of back pay request for Tribal Member Ivan Harvey)

- WHEREAS, Ivan Harvey requested back pay from Fort Apache Timber Company (FATCO) for differentials in past wages with effective date of promotion on October 6, 2003; and
- WHEREAS, Mr. Harvey was hired November 3, 1982 as a Truck Shop Mechanic, later he was selected to fill the position of the Truck Shop Lead Man effective October 6, 2003, which changed his hourly rate from \$15.74 to \$16.90; and
- **WHEREAS**, during the period of Mr. Harvey's employment at FATCO, all Form E's submitted to Tribal Personnel for processing were upheld pending approval due to budget constraints; and
- **WHEREAS**, Mr. Harvey received back pay for two pay periods per Tribal Resolution No. 01-2003-13, which states a limit of two pay periods for back pays; and
- **WHEREAS**, FATCO verifies that Mr. Harvey is still owed \$1,050.38 in back pay of wages according to the payroll calculation as 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 Ivan Harvey in the amount of \$1,050.38 according to the calculation provided by FATCO, as attached and incorporated by this reference.

The foregoing resolution was on April 6, 2005, 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), (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).

Chairman of the Tribal Council

Secretary of the Tribal Council





P.O. Box 1090, Whiteriver, Arizona 85941 TELEPHONE: (928) 338-4931 FAX: (928) 338-4150

March 7, 2005

Memorandum

To:

Dallas Massey, Sr., Tribal Chairman

From:

Mary Classay, General Manager Mary Classay

Subject: Request of Back Pay

Mr. Ivan Harvey is requesting back pay from Fort Apache Timber Company (FATCO) for differentials in past wages with effective date of promotion of October 6, 2003.

Mr. Harvey was hired November 3, 1982 as a Truck Shop Mechanic. Mr. Harvey was still working with that job title when the death of the Truck Shop Supervisor created some position changes. Mr. Harvey was selected to fill the position of the Truck Shop Lead Man effective October 6, 2003 which changed his hourly rate from \$15.74 to \$16.90:

During the period of Mr. Harvey's employment at FATCO, all Form E's submitted to the Tribal Personnel for processing were upheld pending approval due to budget constraints.

Mr. Harvey did receive a back pay for two pay periods per Tribal Resolution No. 01-2003-13 which states a limit of two pay periods on back pays.

FATCO verifies Mr. Harvey is still owed \$1,050.38 in back pay of wages according to the payroll calculation attached.

If you have any questions, please call Alberta Reed at 928-338-4931.

Tribal Counciló

RETRO - HARVEY, IVAN DATED: MARCH 3, 2005

EFFECTIVE DATE OF PROMOTION: 10/06/03

PAYROLL	HOURS	DIFF. RT	AMT	END DATE
PR17	0	1.16	\$ -	4/17/2004
PR16	80	1.16	\$ 92.80	4/3/2004
PR15	75	1.16	\$ 87.00	3/20/2004
PR14	61	1.16	\$ 70.76	3/6/2004
PR13	62	1.16	\$ 71.92	2/21/2004
PR12	72	1.16	\$ 83.52	2/7/2004
PR11	77.5	1.16	\$ 89.90	1/24/2004
PR10	72	1.16	\$ 83.52	1/10/2004
PR09	48	1.16	\$ 55.68	12/27/2003
PR08	78	1.16	\$ 90.48	12/13/2003
PR07	66.5	1.16	\$ 77.14	11/29/2003
PR06	80	1.16	\$ 92.80	11/15/2003
PR05	66	1.16	\$ 76.56	11/1/2003
PR04	67.5	1.16	\$ 78.30	10/18/2003

905.5 \$1,050.38

905.5 TOTAL HOURS \$ 1.16 DIFFERENTIAL

\$1,050.38 AMOUNT DUE

PR4 10/18/03

Pgm: RTIM001 Wst: BERTAR2S1	***	White Mountair TIMESHEET	- induction in income	** 3/02/05 ** 14:26:23
HARVEY, IVAN Regular Rate		526887292 Overtime Rate:		
Enter required Week #1: Regular: Overtime.: S/A Leave:	information, Sun Mon 8.00	Tue Wed		Sat ————
Week #2: Regular: Overtime.: S/A Leave:	(A=Annual Lea	ave, E=Education 3.30	Leave, S=Sick Le 	ave)
Reported Tips: Banquet Tips::	Tota	ve, E=Education l Regular Time: ium Pay:		=SICK= TOTAL 67.30
CMD: F3=Exit F	10=Update F	12=Return witho	ut Update	

PR6 11/15/03

Pgm: RTIM001 Wst: BERTAR2S1	***	White Mountain TIMESHEET	Apache Tr EDIT	ibe ***	3/02/05 14:28:42
HARVEY, IVAN Regular Rate:		526887292 Overtime Rate:	25.350		
Enter required Week #1: Regular: Overtime.: S/A Leave:	information, p Sun Mon 8.00	ress ENTER: Tue Wed 8.00 8.00	Thu 8.00	Fri 8.00	Sat ———
Week #2: Regular: Overtime.: S/A Leave:	(A=Annual Leav 8.00	e, E=Education 8.00 8.00	Leave, S=	Sick Leave	27
Reported Tips: Banquet Tips.:	Total	e, E=Education Regular Time: um Pay:	=REG== AN 80.00	Sick Leave NNUAL =SI Overtime	CK= TOTAL 80.00
CMD: F3=Exit F1	0=Update F1	2=Return withou	t Update		
				PR.5	
· · · · · · · · · · · · · · · · · · ·				PR5 11/0	1/03
Pgm: RTIM001 Wst: BERTAR2S1	* * * * * *	White Mountain	n Apache T I EDIT	ribe ** **	3/02/03
HARVEY, IVAN Regular Rate		526887293 Overtime Rate		<u>0</u>	
Enter required Week #1: Regular: Overtime.: S/A Leave:	information, Sun Mon 6.00	press ENTER: Tue Wed 8.00	d Thu 8.00	Fri 8.00	Sat
Week #2: Regular: Overtime.: S/A Leave:	(A=Annual Lea 8.00	ve, E=Education8.00	Leave, S	=Sick Leav	7e)
Reported Tips: Banquet Tips:	: Tota	ve, E=Education l Regular Time: ium Pay:	=REG== 7 66.00	=Sick Leav ANNUAL =S l Overtime	SICK= TOTAL 66.00
CMD: F3=Exit F	F10=Update F	12=Return witho	ut Update		

PRB 12/13/03

Wst: BERTAR2S1	***	White Mountain TIMESHEET	Apache Tr EDIT	ibe *** ***	3/02/05 14:29:45
HARVEY, IVAN Regular Rate		526887292 Overtime Rate:	25.350		
Enter required Week #1: Regular: Overtime.: S/A Leave:	Sun Mon 8.00	Tue Wed 8.00 8.00	Thu 8.00	Fri 8.00	Sat
Week #2: Regular: Overtime.: S/A Leave:	(A=Annual Leav	re, E=Education 8.00 8.00	Leave, S=8 8.00	Sick Leave)	
Reported Tips Banquet Tips.	: Total	Regular Time: um Pay:	=REG== AN 78.00	ick Leave) NUAL =SIC Overtime .	CK= TOTAL 78.00
CMD: F3=Exit	F10=Update F1	2=Return withou	t Update		
			PR 7	- 11/29	103
Pgm: RTIM001 Wst: BERTAR2		White Mountai TIMESHEE	n Apache T T EDIT	ribe ***	3/02/05
HARVEY, IV Regular Rai		52688729 Overtime Rate		<u>0</u>	
Enter require Week #1: Regular: Overtime.: S/A Leave:	ed information, Sun Mon 8.00	Tue We		Fri 8.00	Sat
Week #2: Regular: Overtime.: S/A Leave:	(A=Annual Lea	ave, E=Education 8.00	n Leave, S:	=Sick Leave	e)
Reported Tip Banquet Tips	os: Tota	ave, E=Education al Regular Time: nium Pay:	=REG== 1 66.30	=Sick Leave ANNUAL =Si	ICK= TOTAL 66.30

PR10 1/10/04

Pgm: RTIM001 Wst: BERTAR2S	31	***	White Mo	ountain MESHEET	Apache EDIT	Tribe	* * * * * *	3/02/05 14:30:48
HARVEY, IVA Regular Rat		6.900	526 Overtime	6887292 e Rate:	25.3	50		
Enter require Week #1: Regular: Overtime.: S/A Leave:	ed infor Sun	Mon 8.00	Tue 8.00	Wed 8.00	Thu 8.00	Fr	i Sa 	t _ _
Week #2: Regular: Overtime.: S/A Leave:	(A=An	nua <u>l</u> Leav 8.00	re, E=Edu 8.00	Cation	Leave, S	8.00		- - -
Reported Tips	s:	nual Leav Total Premi	e, E=Edu Regular um Pay:	A cation Time:	A Leave, S =REG== 48.00	A =Sick I ANNUAL 24.00	Leave)	TOTAL 72.00
CMD: F3=Exit	F10=Upo	date F1	2=Return	withou	t Update			
						\bigcirc	2 9	
· · · · · · · · · · · · · · · · · · ·						18	29 2127	-/03
Pgm: RTIM001 Wst: BERTAR2		***	White 1	Mountair IMESHEE	n Apache I EDIT	Tribe	***	3/02/05 14:30:14
HARVEY, IV Regular Ra		16.900		26887292 me Rate		350		
Enter requir Week #1: Regular: Overtime.: S/A Leave:	Sun	rmation, Mon	press EN Tue	NTER: Wed	i Thu	_		at
Week #2:	_ ⟨A=A	nnual Lea	ve, E=Ed	lucation	Leave,	S=Sick	Leave)	_
Regular: Overtime.: S/A Leave:	·	8.00	8.00	8.00	8.00			

(YR12 2/07/04

Pgm: RTIM001 Wst: BERTAR2S	1	* * * * * *	White Mo	ountain ÆSHEET	Apache EDIT	Tribe	* * * * * *	3/02/05 14:32:05
HARVEY, IVA Regular Rat		.900	526 Overtime	887292 Rate:	25.3	550		
Enter requirement Week #1: Regular: Overtime.: S/A Leave:	d inform Sun	Mon	ress ENT Tue 8.00	TER: Wed 8.00	Thu 8.00			nt
Week #2: Regular: Overtime.:	(A=Ann	ual Leave	e, E=Edu	cation	Leave,	S=Sick I	leave)	_
S/A Leave:		8.00 A ual Leave	8.00 <u>A</u> E-E-E-du	8.00 A	8.00 <u>A</u>	A		
Reported Tips Banquet Tips.	s:	Total	Regular Im Pay:	Time:	=REG== 32.00		=SICK=	72.00
CMD: F3=Exit	F10=Upda	ate F12	?=Return	withou	ıt Update	е	<u> </u>	
							P	E11 1/24/04
Pgm: RTIM00 Wst: BERTAR		***	White T	Mounta 'IMESHE	in Apach ET EDIT	ne Tribe	***	3/02/05 14:31:18
HARVEY, I Regular R		16.900		268872 me Rate		350		
Enter requi Week #1: Regular Overtime. S/A Leave	Sun		Tue	8.0			Fri .00	Sat
Week #2: Regular Overtime. S/A Leave		nnual Lea 8.00		ducation 8.0			(Leave)	-
Reported T: Banquet Tip	ips:		ave, E=E al Regul mium Pay	ar Time	=REG= 61.3	= ANNUA	L =SIC	TOTAL 77.30
CMD: F3=Exit	- E10-II	pdate 1	F1 2-D a + 11	rn with	nout Upd	a+a		

PR14 03/06/04

Wst: BERTAR2S1	*** W	hite Mountain TIMESHEET	Apache Tr	ribe **		3/02/05 14:42:22
HARVEY, IVAN P. Regular Rate: 1	6.900 O	526887292 vertime Rate:	25.350)		
Enter required infor Week #1: Sun Regular: Overtime.: S/A Leave:	Mon 8.00	Tue Wed 8.00 5.00	Thu	Fri	Sat	
Week #2: (A=And A=And A=	nual Leave, 8.00	E=Education 8.00 8.00	Leave, S= 	Sick Leav 8.00	/e)	
Reported Tips: Banquet Tips.:	Total R Premium	egular Time: Pay:	61.00 Total	Sick Leav NNUAL =S	ICK=	TOTAL 61.00
CMD: F3=Exit F10=Upd	late F12=	Return without	Update			
···			۲,	アレバ マ/マ1	3 104	
Pgm: RTIM001 Wst: BERTAR2S1	***	White Mountair TIMESHEET	Apache T		** **	3/02/05 14:32:42
		526887292 Overtime Rate:	25.35	<u>o</u>		1100112
Enter required info. Week #1: Sun Regular: Overtime.: S/A Leave:	rmation, pr Mon 8.00	ress ENTER: Tue Wed 8.00	Thu 8.00	Fri 	Sat	
Week #2: (A=Ar Regular.: Overtime.: S/A Leave:	7.00	, E=Education 8.00	Leave, S= 8.00	=Sick Lea 	ive)	
Reported Tips: Banquet Tips.: CMD: F3=Exit F10=Up	Total Premiur	E=Education Regular Time: n Pay:	62.00	Sick Lea NNUAL =	SICK=	TOTAL 62.00

'YR16 04/03/04

Pgm: RTIM001 Wst: BERTAR2S1	***	White Mountain TIMESHEET	Apache Tribe EDIT	***	3/02/05 14:37:38
HARVEY, IVAN Regular Rate		526887292 Overtime Rate:	25.350		
Enter required Week #1: Regular: Overtime.: S/A Leave:	Sun Mon 8.00	Tue Wed 8.00 8.00		Tri Sat	
Week #2: Regular: Overtime.: S/A Leave:	(A=Annual Leav 10.00	re, E=Education 10.00 10.00	Leave, S=Sick	Leave)	
Reported Tips Banquet Tips.	: Total : Premi	Regular Time: um Pay:	=REG== ANNUA: 80.00 Total Ove:	Leave) L =SICK=	TOTAL 80.00
CMD: F3=Exit 1	F10=Update F1	2=Return withou	t Update		
			'YK	13 3/20/	
		·	03	3/20/	04
Pgm: RTIM001 Wst: BERTAR2S		White Mountain	n Apache Tribe T EDIT	* * * * * * *	3/02/05 14:37:11
HARVEY, IVA Regular Rat		526887292 Overtime Rate			
Enter require Week #1: Regular: Overtime.: S/A Leave:	d information, Sun Mon 8.00	Tue Wed 9.30		Fri Sat	: -
Week #2: Regular: Overtime.: S/A Leave:	(A=Annual Lea	ve, E=Education 8.00 8.00	Leave, S=Sic	k Leave)	
Reported Tips Banquet Tips		ve, E=Education l Regular Time:	=REG== ANNII	k Leave) AL =SICK=	TOTAL