



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

(Overturning Grievance Committee Decision Regarding Rhonda Ethelbah)

- WHEREAS,** Rhonda D. Ethelbah, a tribal member, was terminated from her position with the Purchasing Department of the White Mountain Apache Tribe for several violations of the property disposal policies and for failing to inform the Tribe that its financial interests were being harmed while a tribally owned vehicle accumulated impound fees; and
- WHEREAS,** Ms. Ethelbah requested that her termination be reviewed pursuant to the Personnel Policies; and
- WHEREAS,** the Personnel Department convened a grievance committee to hear Ms. Ethelbah's case; and
- WHEREAS,** the grievance committee determined Ms. Ethelbah's termination was warranted and upheld the Business Office's decision to terminate her; and
- WHEREAS,** consistent with the Personnel Policies the decision was forwarded to the Tribal Chairman Ronnie Lupe for review; and
- WHEREAS,** Tribal Chairman Ronnie Lupe confirmed the decision to terminate Ms. Ethelbah; and
- WHEREAS,** Ms. Ethelbah approached Tribal Council and requested that they overturn her termination; and
- WHEREAS,** Ms. Ethelbah was directed by the Tribal Chairman to address this issue in Tribal Court; and
- WHEREAS,** the Tribal Attorney advised that Ms. Ethelbah had been afforded due process consistent with the Personnel Policies and that the appropriate venue to address her concerns was the Tribal Court; and
- WHEREAS,** Ms. Ethelbah did not wish to pursue her complaint in the Tribal Court; and
- WHEREAS,** after considering Ms. Ethelbah's plea to overturn the decision to terminate, the Tribal Council decided that Rhonda Ethelbah should be reinstated to a new position with the Tribe at the same rate of pay she had when she was terminated from Purchasing; and
- WHEREAS,** the Tribal Council further directed the Personnel Department to assist Ms. Ethelbah in identifying a new position.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby:

Resolution No. 06-2011-131

1. Approves Rhonda D. Ethelbah's reinstatement to a new position at the same salary rate as her position with Purchasing Department.
2. Directs the Human Resources Department to assist Ms. Ethelbah, in identifying a new position.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JUNE 10, 2011** duly adopted by a vote of **FIVE** for, **ONE** against and **ONE** abstention 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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council