



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Resuming Hazard Pay for Tribal Utility Authority Employees Working Under Certain Conditions)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decision not inconsistent with or contrary to this constitution”; and

WHEREAS, At the onset of the Covid-19 pandemic, the Tribe started compensating certain Tribal employees with hazard pay, in addition to their regular pay, due to the rapid spread of this dangerous virus; and

WHEREAS, The Tribe stopped all hazard pay compensation in April 2022 as Covid-19 cases significantly decreased on the Fort Apache Indian Reservation and the Tribe proceeded into its “Back to Normal” phase; and

WHEREAS, Tribal Utility field operators work in a variety of hazardous settings and environments with direct exposure to toxic gases, chemicals, pathogens, Covid-19, confined space, trenches, etc., which makes the possibilities of accidents and injuries greater; and

WHEREAS, Tribal Utility Field Operators work collaboratively during regular work hours, after work hours, and on weekends with priority given to operator safety due to the type of work involved and the potential safety hazard of the work environment; and

WHEREAS, Tribal Utility Authority, this day, requests that Council resume hazard pay for its employees while working under certain hazardous conditions; and

WHEREAS, Council has considered Tribal Utility Authority’s request, and finds that authorizing resumption of hazard pay for certain TUA employees, for times they are working in hazardous conditions, is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes resumption of hazard pay compensation for Tribal Utility Field Operators and for times in which they are working in especially hazardous conditions, as determined by the Tribal Utility Authority’s Director.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

Resolution No. 08-2022-213

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

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 **AUGUST 3, 2022** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **ONE** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez 8-5-22
Kasey Velasquez, Chairman Date

Vaneysa Johnson 8/8/22
Vaneysa Johnson, Tribal Secretary Date