

RESOLUTION NO. 84-25

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

WHEREAS, Mr. Hazard Walker, Sr., a tribal member, employed at the Sunrise Ski Area as a Mighty Mite Lift Operator, has come before the Tribal Council this date with a complaint alleging that Operations Manager, Bill Etchemendi, has threatened him, mistreated him and subjected him to physical abuse, and

WHEREAS, specifically Mr. Hazard Walker advises the Tribal Council that on Saturday, January 14, 1984, he was operating the Mighty Mite at the Sunrise Ski Area and that he was filling out some paper work in the lift operator shack, which was required by Mr. Etchemendi, and that a young girl who was using the Mighty Mite fell and was struck by one of the handles from the Mighty Mite where upon Mr. Walker turned off the Mighty Mite so as to prevent any further injury but at that moment, Mr. Bill Etchemendi came upon him from behind and struck him with his hand in the side of his body, and

WHEREAS, further Mr. Walker advises the Tribal Council that Mr. Etchemendi later offered to settle the matter between himself and Mr. Walker "man to man", which Mr. Hazard Walker interpreted as a challenge to fight; which is against his religion, and

WHEREAS, further Mr. Walker was suspended by Mr. Etchemendi, and

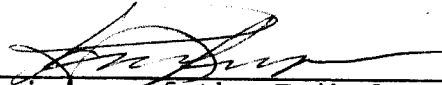
WHEREAS, the Tribal Council has reviewed the signed complaint filed by Mr. Walker and concludes that there are grounds to justify the immediate termination of Mr. Etchemendi for striking an employee which is beyond his authority as a supervisor except in cases of self defense which is not applicable here.

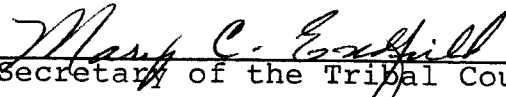
BE IT RESOLVED by the Tribal Council that it hereby directs Mr. Ron Malfara, General Manager of the Sunrise Ski Park, to terminate Mr. William Etchemendi immediately from his position as Operations Manager for the Sunrise Ski Area.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs Mr. Malfara not to reinstate Mr. Etchemendia to his former position as Operations Manager at the Ski Area and that he forfeit any accrued annual leave in accordance with the applicable personnel regulations.

BE IT FURTHER RESOLVED by the Tribal Council that it directs Mr. Malfara to reinstate Hazard Walker, Sr., immediately to his former position as Mighty Mite Lift Operator with back pay from the date of his suspension.

The foregoing resolution was on January 18, 1984, duly adopted by a vote of 8 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i, s, t, & u) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council

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JAN 30 1984

FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ.

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