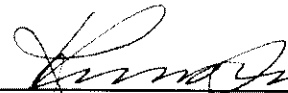


RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

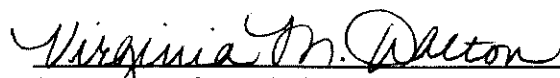
- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe established Grievance Procedures in the Tribal Personnel Manual which provides an opportunity for Tribal employees to appeal certain supervisory or managerial which affect them; and
- WHEREAS,** these Grievance Procedures were intended to apply to all Tribal employees; and
- WHEREAS,** larger Tribal enterprises, such as FATCO, have found it useful to develop their own Procedures, due to the large number of workers they employ; and
- WHEREAS,** the Hondah Casino, because of its large number of employees, would also benefit from adopting its own Grievance Procedures; and
- WHEREAS,** the Casino management and Gaming Office, together with the Tribal Personnel and Legal Departments have developed Grievance Procedures for all Hondah Casino employees.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby adopts the Hondah Grievance Procedures attached hereto as the sole Grievance Procedures for all Hondah Casino, Convenience Store, and other related Hondah business employees and the Tribal Personnel Manual grievance procedures shall not be applicable.

The foregoing resolution was on November 03, 1994, duly adopted by a vote of six 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), (b), (i), (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

HON-DAH CASINO

GRIEVANCE PROCEDURES

I. PURPOSE AND SCOPE

The Hon-Dah Grievance Procedures are available to all employees of the Hon-Dah Casino, Convenience Store and other related Hon-Dah businesses. They are intended to provide an efficient and fair opportunity to resolve work-related problems and disputes.

These procedures replace the Tribal Grievance Procedures established in the Tribal Personnel Manual and are the only means by which an employee may present a Grievance arising from employment at the Casino, Convenience Store and other related Hon-Dah businesses.

Each employee who wishes to present a Grievance must strictly adhere to each applicable provision of the Procedures, including the precise time limits which govern the process.

II. TERMS AND CONDITIONS

A. "Discrimination" means an act by Management constituting grounds for a Grievance, as defined below, which occurred because of the employee's race, religion, gender or national origin. Preference granted to members of the White Mountain Apache Tribe, spouses of members of the Tribe, and to members of other Indian tribes for purposes of hiring, training, promotion and retention of employment does not constitute Discrimination.

B. "Grievance" means a claim by an employee that an act by Management has improperly deprived the employee of rights, benefits, privileges or interests secured by his or her employment. For probationary employees the sole basis for a Grievance shall be an allegation of Discrimination.

C. "Grievance Hearing" means the hearing conducted by the Hon-Dah Grievance Committee pursuant to Section III, Step Four in these Procedures.

D. "Hon-Dah Grievance Committee" or "Committee" means the committee formed to conduct Grievance Hearings. The Committee shall be composed of five regular members and one alternate. A minimum of three Committee members, including an alternate, will constitute a quorum, provided that at least one member from each category below is in attendance. No Committee member may participate

in a Grievance Hearing concerning a Grievance which involves that member.

The Committee members and alternate shall be selected from the following categories:

- i) **NON-MANAGERIAL PERSONNEL:** Two regular members and one alternate selected to serve a one-year term by a majority vote of the non-managerial personnel at the Casino, Convenience Store and other related Hon-Dah businesses. The alternate shall serve at a Grievance Hearing only upon the absence of a regular member from this category.
- ii) **MANAGERIAL PERSONNEL:** Two regular members selected by the Primary Management Official.
- iii) **GAMING OFFICE:** One regular member selected from the Tribal Gaming Office by the Executive Director.

E. **"Management" or "Managerial Personnel"** means the salaried supervisory personnel of the Hon-Dah Casino, Convenience store and other related Hon-Dah businesses.

F. **"Statement of Grievance"** means a detailed description of a Grievance, which must include the following information:

- i) The specific act by Management which the employee believes is the basis of his or her Grievance.
- ii) A description of how such act or omission has improperly deprived the employee of rights, benefits, privileges or interests secured by his or her employment.
- iii) The relief sought by the complainant.

III. GRIEVANCE STEPS

Any employee filing a Grievance, if he or she desires, will be permitted to engage legal assistance by an attorney licensed to practice law within the Fort Apache Indian Reservation, and no other person. Documents filed pursuant to the following steps shall be held in the custody of the Casino Personnel Office and made available for inspection by the parties to the dispute.

Each step which follows is intended to resolve the dispute or problem. It is only if a party to a dispute is dissatisfied with outcome of the step that the party may institute an

appeal pursuant to the terms of the subsequent step. The appeal to any subsequent step does not permit the complainant to supplement the Statement of Grievance with additional Grievances. The appeal will be strictly limited to the specific factual grounds which were the basis of the Grievance in Step One.

STEP ONE--APPEAL TO IMMEDIATE SUPERVISOR OR FLOOR MANAGER

An employee having a Grievance shall present a written Statement of Grievance to his or her immediate supervisor or the floor manager within 48 hours of the occurrence or discovery of the incident which is the basis for the Grievance. Within 48 hours of the receipt of the Statement of Grievance, the immediate supervisor or floor manager shall issue a written decision.

STEP TWO--APPEAL TO CASINO MANAGER

Within 48 hours of the receipt of the decision in Step One, or after the decision is due, the employee may present the written Statement of Grievance to the Casino Manager. Within 48 hours of the receipt of the Statement of Grievance, the Casino Manager shall issue a written decision.

STEP THREE--APPEAL TO PRIMARY MANAGEMENT OFFICIAL

Within 48 hours of the receipt of the decision in Step Two, or after the decision is due, the employee may present the written Statement of Grievance to the Primary Management Official. Within 48 hours of the receipt of the Statement of Grievance, the Primary Management Official shall issue a written decision.

STEP FOUR--APPEAL TO HON-DAH GRIEVANCE COMMITTEE

Within 48 hours of the receipt of the decision in Step Three, or after the decision is due, the employee may present the written Statement of Grievance to the Hon-Dah Grievance Committee. Within five days of the receipt of the Statement of Grievance, the Committee shall hold a hearing. The Committee may conduct the hearing as it deems fair and appropriate. Formal rules governing the proceedings or presentation of evidence will not be required. The Committee may request information, documentation and hear testimony. The hearing shall be open to both parties, except that after the presentation of all testimony and other evidence, the Committee may meet privately to discuss its conclusions. The Committee shall reach its conclusions by a majority vote.

Within 72 hours of the Grievance Hearing, the Committee shall deliver to the Director of the Tribal Personnel Department a written report explaining its recommendation. Within three working days of the receipt of the report the Director shall affirm the recommendation if the proceedings were conducted in compliance with these Procedures. If the Personnel Director determines these Procedures have not been adequately followed, he or she shall send

the issue back to the Hon-Dah Grievance Committee with instructions to correct any procedural deficiencies.

STEP FIVE--APPEAL TO TRIBAL GRIEVANCE COMMITTEE

Within two working days of the receipt of the decision in Step Four, or after the decision is due, either party to the dispute may present the written Statement of Grievance to the Tribal Grievance Committee. Review by the Tribal Grievance Committee shall be limited to the record as developed in Steps One through Four, to determine whether both sides were given full and impartial consideration. The Tribal Grievance Committee may not undertake further examination of witnesses or request or receive additional documentation. Within 5 working days of the receipt of the Statement of Grievance, the Tribal Grievance Committee shall, by a majority vote, make a recommendation to the Tribal Chairman who shall issue a written decision within ten working days of receipt of the Tribal Grievance Committee's recommendation. Except as provided in Step Six, the decision of the Tribal Chairman shall be final.

STEP SIX--APPEAL TO TRIBAL COUNCIL

In cases of alleged Discrimination only, within ten working days of receipt of the written decision of the Tribal Chairman, the complainant may deliver the written Statement of Grievance to the Tribal Council.

The appeal shall be placed on the agenda for the next Tribal Council meeting and the Council may choose to decide the appeal at that meeting, schedule it for decision at the next meeting (with or without an appearance by the employee) or schedule a special meeting within thirty days.

The decision of the Tribal Council shall be final.