

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

**WHEREAS,** the Tribal Council established the Tribal Labor Code to promote and preserve the interests of employees working within the Reservation; and

**WHEREAS,** according to the Tribal Labor Code, the Tribal Employment Rights Office (TERO) is empowered under section 1.5.A.6. to take such actions necessary to achieve the purposes of the TERO chapter; and

**WHEREAS,** payment of wages and fringe benefits to construction workers within the Reservation is a key component of any employee in construction-related work; and

**WHEREAS,** under state and federal construction contracts, construction employers are required to pay fringe benefits to the employee in addition to wages; and

**WHEREAS,** the purpose of the fringe benefits payment is to help the employee through the periods of unemployment which routinely occur between construction projects; and


**WHEREAS,** in some instances the employee has had to wait several months after completion of the job to apply for and receive the withheld fringe benefits because the employer has retained the fringe benefits or placed them in a escrow account; and

**WHEREAS,** it would better serve the interests of the employees to receive the fringe benefits immediately with the payroll check, rather than waiting for the employer to release the payments to the employees.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby adopts as a duly enacted regulation of the Tribal Employment Rights Office that all construction employers, operating within the Reservation, pursuant to a state or federal contract, shall pay the required fringe benefits to their employees at the time they make their payroll payments.

**Resolution No. 02-96-039**

The foregoing resolution was on February 14, 1996, duly adopted by a vote of ten 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), (l), (s), (t), (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).

  
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Chairman of the Tribal Council

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Secretary of the Tribal Council