

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

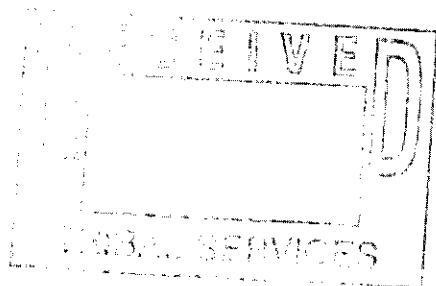
- WHEREAS,** on October 3, 2002, Vanta Preston, Ruth Key, and Bonnie Tate came before the Tribal Council to seek reinstatement of their employment with the Tribe at the Social Services TAN F Program and to request back pay of their salary that they would have earned from the day of their termination; and
- WHEREAS,** the Tribal Council, in Resolution 10-2002-249 directed the Tribal Department of Social Services to reinstate Vanta Preston, Ruth Key, and Bonnie Tate to the positions they held and at the salary they earned or laid off or terminated from these Social Services Department TANF Program; and
- WHEREAS,** at this time Vanta Preston, Ruth Key and Bonnie Tate come again before the Tribal Council to seek clarification of several points in Resolution 10-2002-249 and to address other issues pertaining to their termination of employment; and
- WHEREAS,** the three employees had been terminated from employment June 17 and were to be reinstated February, 2003, however, to date the employees have not been reinstated nor received back pay; and
- WHEREAS,** in Resolution 10-2002-249 the Tribal Council acknowledge that back pay would in all likelihood have to come from some other source than the TANF budget and for that reason, the employees respectfully request that they receive back pay from June 17, 2002 to a date determined by the Tribal Council to be paid from Tribal funds, if back pay may not be paid from TANF budget funds; and
- WHEREAS,** the employees note they did receive unemployment benefits after their termination and understand that the back payment which may be awarded may be reduced by the amount they received in unemployment benefits; and
- WHEREAS,** this matter arose from a determination by the Tribal Council that the three employees brought to the Council claims which merited action by the Council to address the circumstances of their termination and resolve any outstanding issues the three may have in regards to their termination; and
- WHEREAS,** for this reason Tribal representatives and the three employees have reached a compromise, attached in a confidential addendum to this resolution detailing agreed upon terms for back payment and commitments for future employment for all three which are acceptable both to the Tribal Council and to the three employees; and


WHEREAS, by this action, the Tribal Council seeks to fairly address legitimate concerns and complaints raised by the three employees in a manner consistent with overall Tribal operating structures and responsibilities.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the agreement attached to this resolution to provide for back pay and future employment commitments by the Tribe to each of the three employees, Vanta Preston, Ruth Key, and Bonnie Tate.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Social Services Department to verify in writing whether TANF funds or other department funds may be used for the back pay and future employment commitments.

The foregoing resolution was on September 12, 2003 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), (h), (i), (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).




Chairman of the Tribal Council


Secretary of the Tribal Council