

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

WHEREAS, Ms. Diane Aday has come before the Tribal Council with a complaint concerning her release from employment at the Tribe's Behavioral Health Program; and

WHEREAS, in discussion with the Tribal Council in executive session this date, the Council heard of allegations made against Ms. Aday which were the grounds for the release from employment; and

WHEREAS, documentation provided to the Council shows that a review panel was to be convened to examine the allegations and render a final decision concerning the conduct and continued employment of Ms. Aday; and

WHEREAS, the Tribal Council has been advised that the review panel promised Ms. Aday has never occurred, yet she has lost her employment; and

WHEREAS, the Tribal Council recognizes the severity of the allegations and the need to promptly review and resolve the issues which first came to light to Behavioral Health management eight months ago; and

WHEREAS, the Tribal Council recognizes the hardship the personnel action has placed upon Ms. Aday who has lost her employment without the administrative review she was promised; and

WHEREAS, the Tribal Council, to be fair to Ms. Aday, authorizes her reinstatement with two pay periods of back pay and directs that the administrative process move forward without further delay, as such review is essential to assure the safety and propriety of services to clients and to provide Ms. Aday her opportunity to adequately respond to the allegations.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby reinstates Ms. Diane Aday to her position and rate of pay pending the investigation and review process at the Tribe's Behavioral Health Program, with payment of two pay periods of back pay as partial compensation for the period during which Ms. Aday has been out of work.

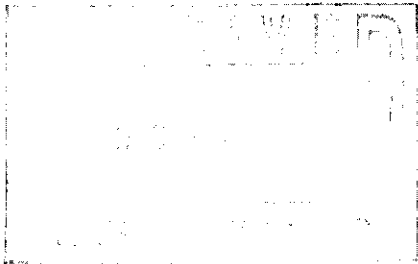
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it directs that the administrative review process occur without delay as offered in writing to Ms. Aday by Behavioral Health management.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that until the review process is completed and acted upon, for the welfare and integrity of the Behavioral Health Program, and especially the vulnerable clients it serves, that the Behavioral Health management shall implement safeguards for Ms. Aday's work to assure no repeat of actions which are alleged against Ms. Aday.

Resolution No. 11-2003-268

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event the review process clears Ms. Aday of the alleged actions, the Council will evaluate and consider a request for an additional award of back pay to cover the entire period of Ms. Aday's unpaid status while on leave from her position.

The foregoing resolution was on NOVEMBER 13, 2003 duly adopted by a vote of SIX for, ZERO against, and TWO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (h), (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).



Frank D. [Signature]
ACTING Chairman of the Tribal Council

Andy B. Harney
Secretary of the Tribal Council