

Resolution No. 04-2005-75

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

(Approval of back pay request for Tribal Member Ivan Harvey)

WHEREAS, Ivan Harvey requested back pay from Fort Apache Timber Company (FATCO) for differentials in past wages with effective date of promotion on October 6, 2003; and

WHEREAS, Mr. Harvey was hired November 3, 1982 as a Truck Shop Mechanic, later he was selected to fill the position of the Truck Shop Lead Man effective October 6, 2003, which changed his hourly rate from \$15.74 to \$16.90; and

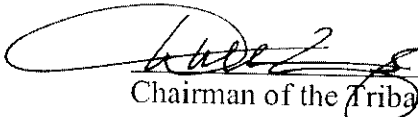
WHEREAS, during the period of Mr. Harvey's employment at FATCO, all Form E's submitted to Tribal Personnel for processing were upheld pending approval due to budget constraints; and

WHEREAS, Mr. Harvey received back pay for two pay periods per Tribal Resolution No. 01-2003-13, which states a limit of two pay periods for back pays; and

WHEREAS, FATCO verifies that Mr. Harvey is still owed \$1,050.38 in back pay of wages according to the payroll calculation as attached and incorporated by this reference.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the back pay request of Ivan Harvey in the amount of \$1,050.38 according to the calculation provided by FATCO, as attached and incorporated by this reference.

The foregoing resolution was on April 6, 2005, duly adopted by a vote of SEVEN 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



FORT APACHE TIMBER CO.



P.O. Box 1090, Whiteriver, Arizona 85941
TELEPHONE: (928) 338-4931 FAX: (928) 338-4150

March 7, 2005

Memorandum

To: Dallas Massey, Sr., Tribal Chairman

From: Mary Classay, General Manager *Mary Classay*

Subject: Request of Back Pay

Mr. Ivan Harvey is requesting back pay from Fort Apache Timber Company (FATCO) for differentials in past wages with effective date of promotion of October 6, 2003.

Mr. Harvey was hired November 3, 1982 as a Truck Shop Mechanic. Mr. Harvey was still working with that job title when the death of the Truck Shop Supervisor created some position changes. Mr. Harvey was selected to fill the position of the Truck Shop Lead Man effective October 6, 2003 which changed his hourly rate from \$15.74 to \$16.90.

During the period of Mr. Harvey's employment at FATCO, all Form E's submitted to the Tribal Personnel for processing were upheld pending approval due to budget constraints.

Mr. Harvey did receive a back pay for two pay periods per Tribal Resolution No. 01-2003-13 which states a limit of two pay periods on back pays.

FATCO verifies Mr. Harvey is still owed \$1,050.38 in back pay of wages according to the payroll calculation attached.

If you have any questions, please call Alberta Reed at 928-338-4931.

RETRO - HARVEY, IVAN
 DATED: MARCH 3, 2005

EFFECTIVE DATE OF PROMOTION: 10/06/03

PAYROLL	HOURS	DIFF. RT	AMT	END DATE
PR17	0	1.16	\$ -	4/17/2004
PR16	80	1.16	\$ 92.80	4/3/2004
PR15	75	1.16	\$ 87.00	3/20/2004
PR14	61	1.16	\$ 70.76	3/6/2004
PR13	62	1.16	\$ 71.92	2/21/2004
PR12	72	1.16	\$ 83.52	2/7/2004
PR11	77.5	1.16	\$ 89.90	1/24/2004
PR10	72	1.16	\$ 83.52	1/10/2004
PR09	48	1.16	\$ 55.68	12/27/2003
PR08	78	1.16	\$ 90.48	12/13/2003
PR07	66.5	1.16	\$ 77.14	11/29/2003
PR06	80	1.16	\$ 92.80	11/15/2003
PR05	66	1.16	\$ 76.56	11/1/2003
PR04	67.5	1.16	\$ 78.30	10/18/2003
	905.5		\$ 1,050.38	

905.5 TOTAL HOURS
 \$ 1.16 DIFFERENTIAL
\$ 1,050.38 AMOUNT DUE

PR 4
10/18/03

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
 Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:26:23

HARVEY, IVAN P. 526887292
 Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00	8.00	8.00	8.00	
Overtime.:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:		8.00	3.30		8.00	8.00	
Overtime.:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____	Total Regular Time: 67.30	=REG== ANNUAL =SICK=	TOTAL
Banquet Tips.: _____	Premium Pay: _____	Total Overtime . . .:	67.30

CMD: F3=Exit F10=Update F12=Return without Update

PR6

11/15/03

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:28:42

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		8.00	8.00	8.00	8.00	8.00	
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular...:		8.00	8.00	8.00	8.00	8.00	
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____	Total Regular Time: 80.00	=REG== ANNUAL =SICK=	TOTAL 80.00
Banquet Tips.: _____	Premium Pay: _____	Total Overtime . . .	

CMD: F3=Exit F10=Update F12=Return without Update

PR5

11/01/03

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:28:05

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		6.00	8.00		8.00	8.00	
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular...:		8.00	8.00	4.00	8.00	8.00	
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____	Total Regular Time: 66.00	=REG== ANNUAL =SICK=	TOTAL 66.00
Banquet Tips.: _____	Premium Pay: _____	Total Overtime . . .	

CMD: F3=Exit F10=Update F12=Return without Update

PR 8

12/13/03

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:29:45

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00	8.00	8.00	8.00	
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:		8.00	8.00	8.00	8.00	6.00	
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____ Total Regular Time: 78.00 =REG== ANNUAL =SICK=
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . : 78.00

CMD: F3=Exit F10=Update F12=Return without Update

PR 7

11/29/03

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:29:12

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00	8.00	8.00	8.00	
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:	2.30		8.00	8.00	8.00		
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____ Total Regular Time: 66.30 =REG== ANNUAL =SICK=
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . : 66.30

CMD: F3=Exit F10=Update F12=Return without Update

PR10
1/10/04

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:30:48

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00	8.00	8.00		
Overtime.:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:		8.00	8.00				
Overtime.:							
S/A Leave:				8.00	8.00	8.00	

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____	Total Regular Time: 48.00	=REG== ANNUAL =SICK=	TOTAL 72.00
Banquet Tips.: _____	Premium Pay: _____	Total Overtime . . .	

CMD: F3=Exit F10=Update F12=Return without Update

PR9
12/27/03

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:30:14

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:					8.00	8.00	
Overtime.:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:		8.00	8.00	8.00	8.00		
Overtime.:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____	Total Regular Time: 48.00	=REG== ANNUAL =SICK=	TOTAL 48.00
Banquet Tips.: _____	Premium Pay: _____	Total Overtime . . .	

CMD: F3=Exit F10=Update F12=Return without Update

PR12

2/07/04

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:32:05

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:			8.00	8.00	8.00	8.00	
Overtime..:							
S/A Leave:							

Week #2: (A=Annual Leave, E=Education Leave, S=Sick Leave)

Week #2:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:							
Overtime..:							
S/A Leave:		8.00	8.00	8.00	8.00	8.00	
		A	A	A	A	A	

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____ Total Regular Time: 32.00 40.00 =REG== ANNUAL =SICK= TOTAL 72.00
 Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . .

CMD: F3=Exit F10=Update F12=Return without Update

PR11
1/24/04

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:31:18

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:				8.00	8.00	8.00	
Overtime..:							
S/A Leave:		8.00	8.00				
		A	A				

Week #2: (A=Annual Leave, E=Education Leave, S=Sick Leave)

Week #2:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		8.00	8.00	8.00	7.00	6.30	
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____ Total Regular Time: 61.30 16.00 =REG== ANNUAL =SICK= TOTAL 77.30
 Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . .

CMD: F3=Exit F10=Update F12=Return without Update

PR 14
03/06/04

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:42:22

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00	5.00			
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:		8.00	8.00	8.00	8.00	8.00	
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____ Total Regular Time: 61.00 =REG== ANNUAL =SICK= TOTAL
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . : 61.00

CMD: F3=Exit F10=Update F12=Return without Update

'PK 13
2/21/04

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:32:42

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular..:		8.00	8.00		8.00	8.00	
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular..:		7.00	8.00		8.00	7.00	
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____ Total Regular Time: 62.00 =REG== ANNUAL =SICK= TOTAL
Banquet Tips.: _____ Premium Pay: _____ Total Overtime . . : 62.00

CMD: F3=Exit F10=Update F12=Return without Update

4216
04/03/04

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:37:38

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		8.00	8.00	8.00	8.00	8.00	
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular...:		10.00	10.00	10.00	10.00		
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____	Total Regular Time: 80.00	=REG== ANNUAL =SICK=	TOTAL 80.00
Banquet Tips.: _____	Premium Pay: _____	Total Overtime . . .:	

CMD: F3=Exit F10=Update F12=Return without Update

4215
03/20/04

Pgm: RTIM001 *** White Mountain Apache Tribe *** 3/02/05
Wst: BERTAR2S1 *** TIMESHEET EDIT *** 14:37:11

HARVEY, IVAN P. 526887292
Regular Rate: 16.900 Overtime Rate: 25.350

Enter required information, press ENTER:

Week #1:	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Regular...:		8.00	8.00	9.30	8.00	6.30	
Overtime..:							
S/A Leave:							

Week #2:	(A=Annual Leave, E=Education Leave, S=Sick Leave)						
Regular...:		3.00	8.00	8.00	8.00	8.00	
Overtime..:							
S/A Leave:							

(A=Annual Leave, E=Education Leave, S=Sick Leave)

Reported Tips: _____	Total Regular Time: 75.00	=REG== ANNUAL =SICK=	TOTAL 75.00
Banquet Tips.: _____	Premium Pay: _____	Total Overtime . . .:	

CMD: F3=Exit F10=Update F12=Return without Update