



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

**(Amending the Personnel Policies and Procedures Manual to Eliminate Annual Leave Payout)**

**WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

**WHEREAS,** section VII (B)(2) of the White Mountain Apache Tribal Personnel Policies and Procedures currently reads as:

*Payment at Termination.* Only payment for annual leave available shall be made upon approval by the department and the Human Resources Office at termination. However, any obligation the employee owes the Tribe will be deducted from the pay for leave available. An eligible employee must have satisfied the waiting period of eligibility (90 days) in order to receive an annual pay-out at termination.  
; and

**WHEREAS,** the White Mountain Apache Tribe is currently facing financial hardships due to the downturns in the local, state, and national economies as well as the lingering effects of the Rodeo-Chedeski fire; and

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe is the ultimate authority regarding personnel and administrative policies on the Reservation; and

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe finds it in the best interest of the Tribe to amend section VII (B)(2) of the White Mountain Apache Tribal Personnel Policies and Procedures to read:

*Payment at Termination.* No payment for annual leave available shall be made at termination.  
; and

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe finds that this change to the policy should go in to effect immediately and should apply to all Tribal departments, enterprises, and 638 programs; and

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe finds that it is in best interest of the Tribe to deny approval for the payout of any annual leave accrued prior to the enactment of this resolution.

**Resolution No. 06-2010-147**

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby amends section VII (B)(2) of the White Mountain Apache Tribal Personnel Policies and Procedures Manual to read:

*Payment at Termination.* No payment for annual leave available shall be made at termination.


**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby disapproves any unpaid annual leave payout based on hours accrued prior to the enactment of this resolution.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that this policy shall become effective immediately and shall apply to all Tribal departments, enterprises, and 638 programs.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JUNE 3, 2010** duly adopted by a vote of **SEVEN** for and **THREE** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (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).

  
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Ronnie Lupe, Chairman of the Tribal Council

 **ACTING**  
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Marjorie J. Craig, Secretary of the Tribal Council