



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Adopting Ceremonial and Ministerial Leave Policy for Tribal Employees and Incorporating it as an Appendix to the Tribe's Personnel Policies and Procedures Manual)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(s) that the Tribal Council ("Council") shall exercise the power, "...to regulate subordinate organizations for economic and other purposes..."; and

WHEREAS, The Tribe has adopted a Personnel Policies and Procedures Manual (the "Manual"), which governs the conduct and rights of the Tribal employees, and includes provisions for several different types of leave; and

WHEREAS, The Manual does not currently provide for leave for participation in traditional ceremonies or for religious ministers to attend to their duties, and has instead required them to use accrued Annual Leave or take leave without pay; and

WHEREAS, In 1981, the Tribal Council enacted Resolution No. 81-52, which reaffirmed the support of the Tribe for religious freedom and prohibited employers from discriminating against or disciplining the Tribe's traditional religious leaders for fulfilling their duties to the people of the Tribe; and

WHEREAS, Council has discussed and considered the draft Ceremonial and Ministerial Leave Policy, which is intended for inclusion in the Manual as an Appendix (attached and incorporated herein by reference), and finds that its adoption is necessary and prudent, and is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the attached Ceremonial and Ministerial Leave Policy is hereby adopted, effective immediately.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe's Personnel Department shall disseminate the new Ceremonial and Ministerial Leave Policy Appendix to the Manual to all Tribal departments, and when possible, the Tribe's Information Technology Department shall post it to the Tribe's website and distribute it electronically to all Tribal employees.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

Resolution No. 06-2023-151

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

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 7, 2023** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **TWO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez 6-9-2023
Kasey Velasquez, Chairman Date

Vaneysa Johnson 06/12/2023
Vaneysa Johnson, Tribal Secretary Date

APPENDIX TO THE WHITE MOUNTAIN APACHE TRIBE PERSONNEL POLICIES AND
PROCEDURES MANUAL

Ceremonial and Ministerial Leave Policy

A. General.

1. Policy Intent. Tribal Council Resolution No. 81-52 reaffirmed the Tribe's commitment to supporting the religious freedoms and practices of Tribal members, and prohibited discrimination or disciplinary action against Tribal employees for fulfilling their religious duties.
2. Spiritual observance has always been central to the White Mountain Apache way of life, and these practices continue to be vital and important, whether they be rooted in Apache tradition, Christianity, or other faiths.
3. It is the intent of the Tribe, at this time, to provide an appropriate and orderly means for eligible Tribal Employees to take leave from their jobs, as may be necessary to observe their ceremonial and ministerial observances, while ensuring that the job duties necessary to keep the Tribe running are still being performed.

B. Procedures.

1. Sponsors/Co-Sponsors. Ceremonial Leave of up to 7 days shall be granted for Sponsors/Co-Sponsors if employees provide their supervisors at least one month written advanced notice via a Ceremonial or Ministerial Leave Request Memorandum.
2. Medicine Man; Conducting Dance. Ceremonial Leave shall be granted for up to 2 days per week for Medicine Men and one helper, per dance, who are conducting a Sunrise Dance, if employees provide their supervisor with at least two weeks written advanced notice via a Ceremonial or Ministerial Leave Request Memorandum.
3. Medicine Man; Conducting Crown Dancers. Ceremonial Leave shall be granted for up to 1 day per week for Medicine Men and one helper, per dance, who are conducting the Crown dancers for a Sunrise Dance, if employees provide their supervisor with at least two weeks advanced notice via a Ceremonial or Ministerial Leave Request Memorandum.
4. Ministers. Ministerial leave shall be granted for ministers for up to one day per week to conduct funerals, weddings, or other church events, or longer, as necessary, but in no case longer than 7 days, if employees provide their supervisor with at least one week written advanced notice via a Ceremonial or Ministerial Leave Request Memorandum.

5. Employees must work with their supervisors to make arrangements for coverage of job duties and responsibilities in their absence.
6. Support Documents. The employee shall include with their Ceremonial or Ministerial Leave Request Memorandum any documentation of the event, such as an invitation, announcement, or schedule.
7. If approved, the Supervisor shall issue a written memorandum approving of the Ceremonial or Ministerial Leave Request Memorandum, and which specifies how the job duties will be completed in the employee's absence.
8. If an employee wishes more time off for ceremonial or ministerial purposes, they may take that time off using their own accrued Annual Leave, if approved by their supervisor.

C. Definitions.

1. Co-Sponsor: Means the couple that has been given the proper ceremonial items by the sponsors to serve as the maiden's godparents, and are co-sponsoring the Sunrise Dance ceremony.
2. Medicine Man: Means the individual who has received the proper training and recognition and possesses the necessary items to conduct the Sunrise Dance ceremony or to conduct the Crown Dancer portions of the same ceremony.
3. Minister: Includes "pastor", "priest", and "bishop" and similar titles, means an ordained member of a religious organization, authorized to conduct religious services, including but not limited to weddings, baptisms, wakes, funerals, hosting revivals, and blessings.
4. Sponsor: Means the family or household member(s) of the maiden who are providing the Sunrise Dance ceremony for her.