

RESOLUTION NO. 180 -22
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

A Resolution Approving an Amendment to the Yavapai-Apache Nation
Employee Handbook Regarding Holidays

WHEREAS: The Yavapai-Apache Tribal Council (“Council”) is authorized to represent the Yavapai-Apache Nation (“Nation”) and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation (“Constitution) as provided under Article V(a) of the Constitution; and

WHEREAS: The Council is authorized under Article V(p) of the Constitution to appoint subordinate committees, commissions, boards, tribal officials and employees not otherwise provided for in the Constitution and to prescribe their compensation, tenure, duties, policies and procedures; and

WHEREAS: The Council is authorized under Article V(q) of the Constitution to determine all terms and conditions of employment for all persons employed by the Tribe through appropriate law, subject to Article VII of the Constitution; and

WHEREAS: The Council, as the legislative body of the Nation, is authorized under Article V(v) of the Constitution to enact laws, ordinances, and resolutions necessary or incidental to the exercise of its legislative powers; and

WHEREAS: The Yavapai-Apache Nation Employee Handbook includes, among other matters, provisions regarding Holidays; and

WHEREAS: The Council desires to amend the Employee Handbook to add Indigenous Peoples’ Day, which occurs on the second Monday of October, as a Holiday recognized by the Nation; and


WHEREAS: The Council has reviewed the proposed amendment to the Nation’s Employee Handbook regarding Holidays (*attached to this Resolution as Exhibit A and incorporated herein by reference*) and deems it in the Nation’s best interest to approve the same.

NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby approves the amendment to the Nation’s Employee Handbook regarding Holidays (*attached to this Resolution as Exhibit A*) to add Indigenous Peoples’ Day as a Holiday recognized by the Nation, effective immediately.

BE IT FINALLY RESOLVED that the Vice Chairwoman is hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.


CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on September 29 2022, by a vote of 7 7 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.



Tanya Lewis, Vice Chairwoman

ATTEST:



Karla Reimer, Council Secretary

Approved as to Form:



Office of the Attorney General

EXHIBIT A

Amendment to the
Yavapai-Apache Nation Employee Handbook
Regarding Holidays

AMENDMENT TO THE YAVAPAI-APACHE NATION
EMPLOYEE HANDBOOK

September 29, 2022

4.03.01 Holidays

Regular employees are eligible to receive paid Holidays beginning with their Hire Date. Regular Part-Time employees will receive Holiday pay pro-rated to their scheduled work hours.

The Yavapai-Apache Nation recognizes the following Holidays as paid Holidays:

New Year's Day
Martin Luther King Day
President's Day
Exodus Day
Good Friday
Memorial Day
Juneteenth
Independence Day
Labor Day
Indian Day
Indigenous Peoples' Day
Veteran's Day
Thanksgiving Eve (1/2 Day)
Thanksgiving Day
Day after Thanksgiving
Day prior to Christmas
Christmas Day
Day after Christmas

Holidays that fall on a Saturday will be observed on the proceeding Friday. Holidays that fall on a Sunday will be observed on the following Monday.

Employees who are required to work on a scheduled Holiday, to maintain essential service to the Nation, will be granted a full workday of Holiday Pay (typically nine (9) hours on Monday through Thursday and four (4) hours on Friday) paid at straight time in addition to regular pay for each hour worked.

If a Holiday occurs during a scheduled PTO absence the Holiday will not be considered a PTO day.

Holiday pay is not paid when an employee is on a scheduled or unscheduled unpaid absence.