

**RESOLUTION NO. 138 -23  
OF THE GOVERNING BODY OF THE  
YAVAPAI-APACHE NATION**

**A Resolution Approving the Revised Yavapai-Apache Nation Breastfeeding Policy**

**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:** On March 22, 2007, by Council Resolution No. 36-07, the Council approved the Yavapai-Apache Nation Breastfeeding Policy to help reduce childhood obesity and lower the risk of developing diabetes and to support breastfeeding parents employed with the Nation; and

**WHEREAS:** The Council has reviewed the Breastfeeding Policy with the Human Resources Department and the Office of the Attorney General and a revised Breastfeeding Policy has been proposed that provides the following, as further set forth in the revised Breastfeeding Policy attached to this Resolution as Exhibit A (and *incorporated herein by reference*):

- A. Breastfeeding employees shall be provided reasonable paid break time each time such employee has the need to express breast milk for one (1) year following the child’s birth;
- B. Breastfeeding employees shall be provided with a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public to be used by the employee to express breast milk;
- C. No breastfeeding employee shall be discriminated against for expressing milk while at work; and
- D. Breastfeeding employees are not permitted to bring their infant to work; and

**WHEREAS:** The Council has reviewed the proposed revised Yavapai-Apache Nation Breastfeeding Policy and finds it in the best interest of the Nation to approve the same.

**NOW THEREFORE BE IT RESOLVED** that the Yavapai-Apache Nation Tribal Council, in Council assembled, at which a quorum is present, hereby approves the revised Yavapai-Apache Nation Breastfeeding Policy as set forth in Exhibit A.

**BE IT FURTHER RESOLVED** that the revised Breastfeeding Policy approved by this Resolution shall supersede and replace the Nation's Breastfeeding Policy that was adopted on March 22, 2007 by Council Resolution No. 36-07, effective January 1, 2024.

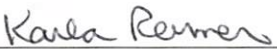
**BE IT FINALLY RESOLVED** that the Chairwoman and Vice-Chairman, or either of them, are hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

#### **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 August 24 2023, by a vote of 7 6 in favor, 1 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.

  
\_\_\_\_\_  
Tanya Lewis, Chairwoman

#### **ATTEST:**

  
\_\_\_\_\_  
Karla Reimer, Council Secretary

Approved as to Form:

  
\_\_\_\_\_  
Office of the Attorney General

# EXHIBIT A

Revised Yavapai-Apache Nation Breastfeeding Policy

## **YAVAPAI-APACHE NATION BREASTFEEDING POLICY**

### **Section 1     PURPOSE**

The Yavapai-Apache Nation ("Nation") recognizes the documented health advantages of breastfeeding for infants. The purpose of this Breastfeeding Policy is to set forth the policy, responsibilities, and procedures to accommodate breastfeeding employees to pump and store breast milk while at work. This Breastfeeding Policy shall supersede and replace the Nation's Breastfeeding Policy that was adopted on March 22, 2007 by Council Resolution No. 36-07.

### **Section 2     POLICY**

- A. Breastfeeding employees shall be provided reasonable paid break time each time such employee has the need to express breast milk for one (1) year following the child's birth.
- B. Breastfeeding employees shall be provided with a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public to be used by the employee to express breast milk.
- C. No breastfeeding employee shall be discriminated against for expressing milk while at work.
- D. Breastfeeding employees are not permitted to bring their infant to work.

### **Section 3     RESPONSIBILITIES**

- A. Human Resources. The Human Resources Director is responsible for:
  - 1. Ensuring a breastfeeding employee is provided with a clean, private space to express breast milk and identifying a refrigerator for the employee to store the breast milk.
  - 2. Ensuring this Policy is communicated to all current and new employees.
- B. Supervisor. A supervisor is responsible for:
  - 1. Providing a breastfeeding employee with reasonable break time each time the employee has the need to express breast milk.
  - 2. Defining work expectations with a breastfeeding employee.
  - 3. Addressing any abuse of this Policy with the breastfeeding employee and the Human Resources Director.
- C. Employee. A breastfeeding employee is responsible for:
  - 1. Notifying her immediate supervisor and the Human Resources Director of her intent to utilize this Breastfeeding Policy prior to taking maternity leave or as soon as possible upon returning to work.
  - 2. Ensuring break time taken under this Policy is reasonable and needed to express breast milk.
  - 3. Expressing and storing her breast milk in the designated locations.