

RESOLUTION OF THE GOVERNING BODY OF
THE THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD RESERVATION

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer the funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes; and

WHEREAS, There is presently a promotion policy within the Tribes Personnel Policies and Procedures Manual, but there is no policy concerning transfers; and

WHEREAS, The Promotion Policy should be amended and a Transfer Policy should be implemented;

WHEREAS, The Tribal Business Council has reviewed the attached policy and does approve the implementation of the proposed Transfer/Promotion Policy attached hereto;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby adopts the attached Transfer/Promotion Policy and the previous Promotion Policy of the Tribes Personnel Policies and Procedures Manual is hereby rescinded in its entirety; and

BE IT FURTHER RESOLVED, That the Transfer/Promotion Policy shall become effective immediately.

In-House Promotion/Transfer Policy

PURPOSE:

To provide a procedure for filling vacant positions in the Three Affiliated Tribal government through transfer of Regular, Full Time employees from within the Tribal staff.

1. General:

One of the best methods of filling vacant positions is to transfer employees from within the Tribal staff. This method of staffing is preferred when it will provide an opportunity for career growth to Tribal employees.

2. Definitions:

A. Promotion is defined as the act of an employee being moved to a different position within the Tribe where the salary is higher than the employee's present salary.

B. Transfer is defined as the act of moving an employee from one position within the Tribe to another position with no increase in salary.

PROCEDURE FOR REGULAR FULL TIME EMPLOYEES:

The following sequence of activities takes place in effecting the promotion or transfer of a Tribal employee.

1. Director With Staff Vacancy:

A. Advises Personnel of vacancy.

2. Personnel

A. Posts In-house Vacancy Notice:

3. Employee Desiring Transfer:

A. Notifies Supervisor in writing of his/her wish to be transferred and justification for requesting transfer. Employee is to attach up-dated Employment Application.

B. Supervisor forwards to Personnel Director.

4. Personnel Director

A. Reviews applications for In-House transfer or promotion.

- B. Prepares Screening Sheet of qualified applicants and forwards to Director with staff vacancy along with Employment Application.
5. **Director with Staff Vacancy:**
- A. Reviews screening sheet and employment applications of applicants for In-House Transfer/Promotion.
6. **Personnel Director**
- A. Personnel Director schedules interviews with the Director and the qualified employees. Interviews must not be scheduled without the prior knowledge of the employee's present supervisor.
7. **Director With Staff Vacancy:**
- A. After completing all interviews, the Director of the Program/ Department in which the vacancy exists makes recommendation to the Chief Executive Officer.
8. **Chief Executive Officer:**
- A. Approves promotion/transfer of employee.
 - B. Notifies the Personnel Director of approved promotion/transfer.
9. **Personnel Director**
- A. Notifies employee who is selected and others who applied and were not selected and give reason why.
10. **Director With Staff Vacancy and Director of Employee Being Transferred or Promoted:**
- A. The present Director/Supervisor of the employee being promoted or transferred and the Director of the vacant position should mutually agree on the effective date of promotion or transfer.
 - B. The present Supervisor initiates the Salary Authorization Request Form and forwards to the Finance Office.
 - C. The appropriate finance staff completes Section II on the Salary Authorization Request Form and forwards to the Personnel office to prepare the Salary Authorization.
11. **Personnel:**
- A. Make necessary changes in personnel records and file.

The transfer and promotion procedure should be repeated to fill the position being vacated because of the promotion/transfer.

TEMPORARY EMPLOYEES, POLITICAL APPOINTEES AND CONSULTANTS.

Temporary employees, political appointees and Consultants may be transferred into Regular Full Time positions under the following conditions:

1. Meet or exceed minimum qualifications of the position.
2. Performed the functions of the position in an exemplary manner for at least six (6) months. Supervisor must complete Performance Evaluation .
3. The transfer to the regular full time employment status is in the best interest of the tribe.

A delay in services by advertising position would not be in the best interest of the Tribe.

Approval:


Only the Tribal Business Council by majority vote can approve the transfer of temporary employees, political appointees or consultants to regular full time employment status.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitutes a quorum, 7 were present at a Regular/Special Meeting thereof duly called, noticed, and convened and held on the 14 day of December, 2000; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 1 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting Not Voting

Dated this 14 day of December, 2000.



Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council