



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

A Resolution entitled, "Authorization to Amend Resolution 97-198-DSB concerning Three Affiliated Tribes Personnel Policy, Section VII: Employee Benefits and Leave, Part J. Educational Leave"

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

WHEREAS, The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity 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 (1) of the Constitution of the Three Affiliated Tribes specifically authorizes the Tribal Business Council to adopt resolutions regulating the procedure of the Tribal Business Council and Tribal agencies; and

WHEREAS, The Tribal Business Council adopted the Three Affiliated Tribes Personnel Policies and Procedures for the purpose of establishing uniform guidelines governing all Tribal Employees; and

WHEREAS, The Tribal Business Council enacted Resolution #97-198-DSB, amending Section VII, Part J of the Three Affiliated Tribes Personnel Policies and Procedures; and

WHEREAS, The Tribal Business Council further emends the Educational Leave Policy to include the following considerations:

Educational Leave is leave that allows an employee to pursue their education while keeping their employment with the Three Affiliated Tribes. To qualify for Educational Leave, an employee must be in accordance with the following regulations:

- (A.) Course(s) are held during regular working hours, which are 8:00 a.m. – 5:00 p.m.;
- (B.) Course(s) must be reviewed and approved by Program Director to prove that it is directly related to the employee's position and/or will improve the employee's job skills and abilities; and will not interfere with the normal and/or efficient operation of respective department/program;
- (C.) Employee must complete Educational Leave Request form in the Human Resource Department to be approved and signed by Program Director, Chief Executive Office or Programs Manager, with copy of class schedule attached;
- (D.) Employee must utilize time clock upon departing and returning to place of employment for class.



The employee may be granted a maximum of four (4) hours administrative leave per week, or **eight (8) hours per pay period, to attend class.** However, the employee may request in writing to the Executive Committee of the Tribal Business Council for approval for up to eight (8) Educational Leave hours per week, or **sixteen (16) hours per pay period.** The Executive Committee will determine if the additional four (4) hours of class attendance will significantly enhance the ability of the employee to perform the duties and responsibilities inherent in their employment position.

Any additional time needed must be taken as annual leave, compensatory leave, or leave without pay. Any employee, who is teaching classes with pay from a source other than the regular employer during working hours, must take annual leave, compensatory leave, or leave without pay.

Any and all expenses incurred by the employee such as tuition, books, fees and materials in the pursuit of continuing education are the responsibility of said employee and are not to be covered by any Three Affiliated Tribes Program with the exception of accreditation related expenses allowable under training costs in program budget, which will be on a case-by case basis, and with the approval of the Program Director, Contract Officer, and Chief Executive Officer or Programs Manager.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Continuation Meeting thereof duly called, noticed, convened and held on the 1st day of April, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting. [] Not Voting.

Dated this 1st day of April, 2003.

Randy Phelan
Executive Secretary, Randy Phelan
Tribal Business Council

ATTEST:
Tex G. Hall
Chairman, Tex G. Hall
Tribal Business Council