



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

*A Resolution entitled: "Amendment to Alcohol and Drug Policy  
and Alcohol and Drug Testing Policy"*

**WHEREAS**, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws under said Act; and

**WHEREAS**, pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS**, pursuant to Article VI, Section 5 (1) of said Constitution, the Tribal Business Council has the power to other Tribal agencies and Tribal officials on the Reservation; and adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies, Tribal officials, Tribal Employees, and others on the Reservation;

**WHEREAS**, the Tribal Business Council, in order to provide a workplace environment which promotes the safety of its employees and encourages their personal health and productivity, on 12 April 2001, did adopt an "Alcohol and Drug Policy and Alcohol and Drug Testing Policy"; and,

**WHEREAS**, Section B. TESTING CIRCUMSTANCES (p. 8) identifies testing circumstances when all employees are subject to alcohol and drug testing; and,

**NOW THEREFORE IT BE RESOLVED** that the Tribal Business Council, in order to insure the integrity of the Three Affiliated Tribes, hereby ordains appropriate steps to test all tribal employees for alcohol and/or drug abuse while in the employ of the Three Affiliated Tribes by amending Section 4 B TESTING CIRCUMSTANCES (p. 8) of the current *Alcohol and Drug Policy and Alcohol and Drug Testing Policy* of the Three Affiliated Tribes to include specific instances of dereliction of employee responsibility as follows: *(5) failure to report to work according to all tribal policies, memoranda, and regulations for prescribed or expected schedule of work hours for all tribal employees.*

**BE IT FURTHER RESOLVED** that this resolution supersedes any and all conflicting resolutions or documents.

Whereas, the Three Affiliated Tribes Alcohol and Drug Policy and Alcohol and Drug Testing Policy promotes the safety, and encourages the personal health and productivity of its employees, and

Whereas, Section 4 B identifies testing circumstances when all tribal employees are subject to alcohol and/or drug testing; and

Now Therefore Be It Resolved that the Tribal Business Council, in order to ensure the integrity of the Three Affiliated Tribes, hereby ordains appropriate steps to test all tribal employees for alcohol and/or drug abuse while in the employ of the Three Affiliated Tribes by amending Section 4 B the current ALCOHOL AND DRUG POLICY AND ALCOHOL AND DRUG TESTING POLICY of the Three Affiliated Tribes to include specific instances of dereliction of employee responsibility as follows (5) failure to report to work according to all tribal policies, memoranda, and regulations for prescribed or expected schedule of work hours for all tribal employees.

07-16-NH



**RESOLUTION NO. 07- 16 -NH  
(VJB)**

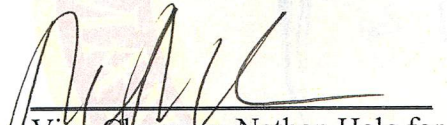
**CERTIFICATION**

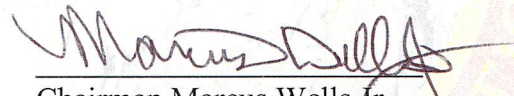
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on *January 12, 2007*; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 12 day of January, 2007.

**ATTEST:**

  
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Vice-Chairman Nathan Hale for  
Tribal Secretary, V. Judy Brugh  
Tribal Business Council

  
\_\_\_\_\_  
Chairman Marcus Wells Jr.  
Tribal Business Council