



## Walker River Paiute Tribe

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RESOLUTION OF THE GOVERNING BODY

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WALKER RIVER PAIUTE TRIBE

RESOLUTION NO. WR-24-2020

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE WALKER RIVER PAIUTE TRIBE THAT:**

**WHEREAS,** the governing body of the Walker River Paiute Tribe ("Tribe") is organized under the provisions of the Indian Reorganization Act of June, 1934, as amended, to exercise certain rights of home rule and to be responsible for the promotion of the economic and social welfare of its members; and

**WHEREAS,** the Walker River Paiute Tribal Council is charged with the responsibility of establishing policy and taking action to provide administrative guidelines; and

**WHEREAS,** the Walker River Tribal Council recently adopted a new Substance Abuse Policy and Procedures, which is Part Two of the Tribe's Human Resources Policies and Procedures; and

**WHEREAS,** the new Substance Abuse Policy and Procedures establishes disciplinary actions that are to be taken against a person that violates the policies, and these disciplinary actions may conflict with certain disciplinary provisions in the Tribe's Human Resources Policy and Procedures; and

**WHEREAS,** the Tribal Council has determined that it must now amend Section 8.2(d) Types of Disciplinary Action and Section 8.6 Table of Penalties of the Tribe's Human Resources Policy and Procedures to avoid any possible conflict with the Tribe's Substance Abuse Policy and Procedures;

**NOW THEREFORE BE IT RESOLVED,** that the Walker River Tribal Council hereby approves two revisions to the Human Resources Policies and Procedures stated below, which shall supersede and replace the existing versions of this provisions:

1. Revise Section 8.2(d) of Human Resources Policies and Procedures to state:

(d) Suspension Without Pay

The Program Director or Department Head may suspend an employee without pay for up to, but not exceeding, ten (10) working days, **unless a specific Tribal policy allows for a longer time period (such as the Tribe's Substance Abuse Policy and Procedures)**. On or before the effective

dates of the suspension, the supervisor will provide the employee with a written statement containing:

- The reasons for the suspension
- The specific behavior and dates of the behavior (where appropriate) that support the charge
- Circumstances affecting the severity of the discipline
- A warning that continuance of this behavior will result in further disciplinary action
- **Any actions that the employee must undertake during the suspension prior to being allowed to return to work**
- The effective dates of the suspension
- The date upon which the employee should return to work
- An offer of assistance to correct the behavior
- The right of appeal

The Tribe's Payroll Department must be notified of this suspension and the effective dates.

Documentation will be made of the suspension which the employee will sign as having received the suspension. Such signature will not adversely affect any rights of grievance or appeal; it acknowledges only that the suspension has been issued. The employee will be provided with a copy of this documentation. Documentation will be retained in the employee's HR records on a permanent basis.

2. Revise Section 8.6 Table of Penalties, Offenses 8, 9, 10 and 11 of Human Resources Policies and Procedures to state:

<b>Offense</b>	<b>1<sup>st</sup> Penalty</b>	<b>2<sup>nd</sup> Penalty</b>	<b>3<sup>rd</sup> Penalty</b>	<b>4<sup>th</sup> Penalty</b>
8. Reporting to Work Under the Influence of Alcohol or Non-Prescribed Drugs (1 <sup>st</sup> Offense)				See Substance Abuse Policy and Procedures
9. Reporting to Work Under the Influence of Alcohol or Non-Prescribed Drugs (2 <sup>nd</sup> Offense)				Dismissal
10. Consuming Alcohol or Non-Prescribed Drugs While On Duty (1 <sup>st</sup> Offense)				See Substance Abuse Policy and Procedures
11. Consuming Alcohol or Non-Prescribed Drugs While On Duty (2 <sup>nd</sup>				Dismissal

Offense)				
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**BE IT FINALLY RESOLVED**, that these amendments shall be in effect as of the date the Tribal Council adopts this resolution, and shall remain in effect until rescinded, amended, or replaced by the Tribal Council.

**CERTIFICATION**

It is hereby certified that the foregoing resolution of the Walker River Paiute Tribal Council of the Walker River Paiute Tribe composed of seven members of whom 4 constituting a quorum adopted the foregoing resolution on the 18th day of **February 2020** by the affirmative vote of 3 FOR, 0 AGAINST, and 0 ABSTENTIONS; pursuant to the authority contained in the Constitution and By-Laws of the Walker River Paiute Tribe of Nevada.

*Gina A. Wachsmuth*  
 Gina Wachsmuth, Tribal Council Secretary  
 WALKER RIVER PAIUTE TRIBE

WESTERN NEVADA AGENCY  
 BRANCH OF TRIBAL OPERATIONS  
 Received 2-25-2020  
 Certified *Marlynn Hubbard*  
 Date 2-28-2020