

RESOLUTION

COLORADO RIVER TRIBAL COUNCIL

A Resolution to Utilize an Independent Hearings Officer for Step 2 of the Employee Grievance Process

Be it resolved by the Tribal Council of the Colorado River Indian Tribes, in *special* meeting assembled

on December 2, 2011

WHEREAS, the Colorado River Indian Tribes (hereinafter "CRIT" or "Tribe") is a federally recognized Indian tribe, duly organized with a tribal governing body known as the Tribal Council according to the provisions contained in the Indian Reorganization Act of June 18, 1934; and

WHEREAS, Article VI, Section 1(i) of the Constitution of the Colorado River Indian Tribes authorizes the Tribal Council to determine all terms and conditions of employment of all persons employed by the Tribe; and

WHEREAS, under CRIT's Employee Handbook, *Grievance Procedure*, the Human Resources Director is responsible for Step 2 of the grievance process and determines whether the employee discipline was appropriate; and

WHEREAS, the Tribal Council is now transferring that authority to an independent hearings officer that will be appointed by the Tribal Council; and

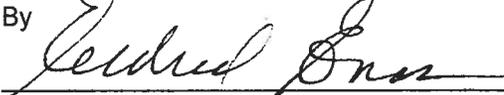
WHEREAS, more time is necessary in Step 2 to fairly consider the employee's grievance; and

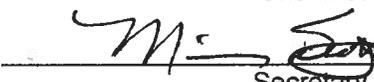
WHEREAS, CRIT's Employee Handbook, *Grievance Procedure*, Section E.3. shall be replaced with the following provisions:

The foregoing resolution was on December 2, 2011 duly approved by a vote of 6 for, 0 against and 0 abstaining, by the Tribal Council of the Colorado River Indian Tribes, pursuant to authority vested in it by Section 1.i., Article VI of the Constitution and By laws of the Tribes, ratified by the Tribes on March 1, 1975 and approved by the Secretary of the Interior on May 29, 1975, pursuant to Section 16 of the Act of June 18, 1934, (46 Stat. 984). This resolution is effective as of the date of its adoption.

COLORADO RIVER TRIBAL COUNCIL

By


Chairman


Secretary

Step 2 – Independent Hearings Officer

If a satisfactory resolution of the grievance is not reached at Step 1, the employee may request that the grievance be processed to the Independent Hearings Officer for review at Step 2. The grievance must be in writing and presented to Human Resources within seven (7) calendar days after receiving the Step 1 decision; the grievance is considered settled on the basis of the Step 1 decision if such a request is not presented. Upon receiving the grievance appeal, Human Resources shall immediately forward the grievance to the Independent Hearings officer. The Independent Hearings Officer conducts a preliminary investigation as a background for analysis and discussion, and telephonically meets with the employee within ten (10) calendar days after receiving the grievance to hear the employee's viewpoint. The Independent Hearings Officer's written decision is presented to the employee within ten (10) calendar days following the meeting, with copies to the Administrative Committee.

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council hereby formally transfers the authority of the Human Resources Director under the Employee Handbook, *Grievance Procedures*, Step 2, to an Independent Hearings Officer to be appointed by Tribal Council.

BE IT FURTHER AND FINALLY RESOLVED that the Tribal Council Chairman and Secretary, or their designated representatives, are authorized and directed to execute any and all documents necessary to implement this action.