

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Certification of a Drug Free Workplace)**

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RESOLUTION NO. 97-301

WHEREAS, the Tohono O'odham Nation certifies that it will provide a drug free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about:

- (1) the dangers of drug abuse in the workplace;**
- (2) the applicant's policy of maintaining a drug-free workplace;**
- (3) any available drug counseling, rehabilitation, and employee assistance programs; and**
- (4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.**

(c) Making it a requirement that each employee to be

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engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employees in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) abide by the terms of the statement; and

(2) notify the employer of any criminal drug statute conviction for the violation occurring in the workplace no later than five days after such conviction;

(e) Notifying HUD within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) taking appropriate personnel action against such an employee, up to and including termination; or

(2) requiring such employee to participate satisfactorily in a drug abuse assistance or

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rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.


- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f); and

WHEREAS, the Place of performance shall be the Tohono O'odham Nation, Post Office Box 837, Sells, Arizona 85634.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby does endorse and adopt all of the provisions of P.L. 100-690, Title V, Sub-title D.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 21ST. day of JULY, 1997 at a meeting at which a quorum was present with a vote of 1,766.0 FOR; -0- AGAINST; -0- NOT VOTING; and 161.0 [04] ABSENT, pursuant to the powers vested in the Council by Section 1(c)(2) & (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

22nd day of July, 1997

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ATTEST:


Julianna Saraficio, Acting Legislative Secretary

22nd day of July, 1997.


Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 22nd day of July, 1997 at 5:09 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


For **Dennis Ramon, Legislative Chairman**

APPROVED on the 22nd day of July, 1997

DISAPPROVED at 5:21 o'clock, P.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 23rd day of
July, 19 97, at 9:06 o'clock, A.M.

Julianne Saraficio
Julianne Saraficio, Acting Legislative Secretary

ACTION: **CERTIFICATION OF A DRUG FREE WORKPLACE**MOVED: **COUNCILWOMAN FERN SALCIDO**SECOND: **COUNCILMAN JOSEPH JUAN**DATE: **JULY 21, 1997**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas) 2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5 94.5	X X			
HICKIWAN 146.0	1. ALEX JOSE () 2. LLOYD FRANCISCO (Susan Sam)	73.0 73.0	X X			
GU VO 142.0	1. FERN SALCIDO (Larry Montana) 2. GLORIA MONTANA (Phillip Antone)	71.0 71.0	X X			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman) 2. ALBERT MANUEL, JR. (Jana Montana)	57.0 57.0	X X			
PISINEMO 139.0	1. BARBARA SALVICIO () 2. JOHNSON JOSE ()	69.5 69.5	X X			
GU ACHI 190.0	1. LOUIS JOHNSON () 2. ALEX J. RAMON** ()	95.0 95.0	X X			
BABOQUIVARI 258.0	1. FRANCES MIGUEL () 2. FRANCES G. ANTONE (Edward N. Kisto)	129.0 129.0	X X			X
SAN XAVIER 146.0	1. TONY BURRELL () 2. DENNIS RAMON ()	73.0 73.0	X X			
SCHUK TOAK 120.0	1. JOSEPH JUAN () 2. AMBROSE ENCINAS ()	60.0 60.0	X X			
SELLS 322.0	1. LUCILLE ENCINAS (Cynthia Chico) 2. EVELYN JUAN (Dennis Jose)	161.0 161.0	X X			X
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris) 2. MARY ANN ANTONE (Darlene Andrew)	80.5 80.5				X X
TOTAL		1,927.0	1,766.0	-0-	-0-	161.0 [04]

**PASSED VOTES