

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

RESOLUTION NO. 99-222

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

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

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

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

16 (c) Making it a requirement that each employee to be engaged in the
17 performance of the grant be given a copy of the statement required
18 by paragraph (a);

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

- 22 1. abide by terms of the statement; and
- 23 2. notify the employer of any criminal drug statue conviction for

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1 the violation occurring in the workplace no later than five days
2 after such conviction;

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

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

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

11 (2) requiring such employee to participate satisfactorily in a drug
12 abuse assistance or rehabilitation program approved for such
13 purposes by a Federal, State, or local health, law enforcement or
14 other appropriate agency.

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

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

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

23 The foregoing Resolution was passed by the Tohono O'odham Council on the 06TH day
24 of MAY, 1999 at a meeting at which a quorum was present with a vote of 1,738.0 FOR;
25 -0- AGAINST; -0- NOT VOTING; and 189.0 [08] ABSENT, pursuant to the powers

1 vested in the Council by Section 1(f) of Article VI of the Constitution of the Tohono
2 O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and
3 approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on
4 March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

5
6 TOHONO O'ODHAM LEGISLATIVE COUNCIL

7
8 
9 _____
10 Dennis Ramon, Legislative Chairman

11
12 7th day of May, 19 99

13
14 ATTEST:

15
16 
17 _____
18 Julianna Saraficio, Acting Legislative Secretary

19 6th day of May, 19 99.

20
21 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
22 O'Odham Nation on the 7th day of May, 19 99 at
23 12:05 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the
24 Constitution and will become effective upon his approval or upon his failure to either
25 approve or disapprove it within 48 hours of submittal.

26
27 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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30 _____
31 Dennis Ramon, Legislative Chairman

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33 APPROVED

on the 7 day of May, 19 99

34
35 DISAPPROVED

at 12:20 o'clock, P.M.

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39 _____
40 EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 07th day of

May, 1999, at 2:13 o'clock, P.M.

Julianna M. Saraficio

Julianna Saraficio, Acting Legislative Secretary

ACTION: CERTIFICATION OF A DRUG FREE WORKPLACE

MOVED: COUNCILMAN TONY BURRELL

SECOND: COUNCILMAN LOUIS JOHNSON

DATE: MAY 06, 1999

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5				X
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5				X
HICKIWAN 146.0	1. ALEX JOSE ()	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			X
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			X
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			X
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5	X			
	2. JOHNSON JOSE ()	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			
	2. ALEX J. RAMON ()	95.0	X			
BABOQUIVARI 258.0	1. FRANCES MIGUEL ()	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	X			
	2. DENNIS RAMON ()	73.0	X			
SCHUK TOAK 120.0	1. JOSEPH JUAN ()	60.0	X			X
	2. AMBROSE ENCINAS ()	60.0	X			
SELLS 322.0	1. DENNIS E. JOSE ()	161.0	X			
	2. EVELYN JUAN ()	161.0	X			X
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			X
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
TOTAL		1,927.0	1,738.0	-0-	-0-	189.0 [08]

**PASSED VOTES