

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Tohono O'odham Nation Executive, Judicial, and Legislative Tri-Branch  
FY 2012 Tohono O'odham Nation Pay Plan Effective October 1, 2011)**

**RESOLUTION NO. 11-560**

1 **WHEREAS, the Tohono O'odham Nation's Legislative Council recognizes the continuing need to**  
2 **maintain a competitive salary and position classification for its employees in order**  
3 **to facilitate the highest level of service delivery to members of the Tohono O'odham**  
4 **Nation; and**

5 **WHEREAS, the Nation contracted with Public Sector Personnel Consultant (the "Consultant") to**  
6 **conduct a comprehensive classification, compensation, and benefits study for**  
7 **employees but not for elected officials; and**

8 **WHEREAS, the Consultant obtained position analysis questionnaires and conducted worksite job**  
9 **information interviews with the Nation's Executive, Judicial, and Legislative Branch**  
10 **("Tri-Branch") employees and conducted a market survey of comparable positions**  
11 **using comparator employers; and**

12 **WHEREAS, based on the resulting Tohono O'odham Nation Tri-Branch**  
13 **Classification/Compensation Study ("Classification Study"), the Consultant developed**  
14 **and presented the Tohono O'odham Nation Grade and Step Pay Plan table, a single**  
15 **salary range table for all job categories to replace the current exempt and non-exempt**  
16 **wage structures; and**

17 **WHEREAS, after evaluating the Nation's available resources to implement the Classification**  
18 **Study, the Nation did not incorporate recommended longevity step increases into the**  
19 **resulting pay plan recommendations; and**

20 **WHEREAS, the following methodology for implementing the new pay plan will apply:**

- 21 **1. If the new grade/step is below the minimum of the new wage scale those positions**  
22 **will be incorporated into the new wage scale at step one, therefore employees will**  
23 **experience an increase in pay amounts.**
- 24 **2. If the new grade/step is above the minimum of the new wage scale those positions**  
25 **will be incorporated into the nearest higher step; therefore employees will not**  
26 **experience a decrease in pay amount.**
- 27 **3. If step 18 of the new wage scale is less than the employees' current pay, they will not**  
28 **receive an increase.**

29 **WHEREAS, the projected pay plan implementation cost for FY 2012, including a fringe rate of**  
30 **15.14%, is:**

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1	<b>Executive Branch</b>	<b>\$3,592,427</b>
2	<b>Judicial Branch</b>	<b>\$433,369</b>
3	<b>Legislative Branch</b>	<b><u>\$53,128</u></b>
4	<b>TOTAL TRI-BRANCHES</b>	<b>\$4,078,924</b>

5 **WHEREAS, it is in the Nation's best interest to (1) adopt the Tohono O'odham Grade and Step Pay**  
6 **Plan table, (2) adopt Table 5 - Salary Ranges Per Job Class, (Job Class Order), (3) adopt**  
7 **the Tohono O'odham Nation FY 2012 Salary Plan Addendum Recommended**  
8 **Salary/Range Per Position for the Tri-Branch, and (4) incorporate the resulting**  
9 **compensation rates into the FY 2012 Tri-Branch budgets effective October 1, 2011; and**

10 **WHEREAS, the Classification Study results and recommendations have been presented to the**  
11 **Legislative Human Resources Development Committee and the Budget and Finance**  
12 **Committee, which have reviewed the recommendations and recommend their**  
13 **adoption.**

14 **NOW, THEREFORE BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 15 **1. Adopts (1) the Tohono O'odham Grade and Step Pay Plan table ("Wage Scale"), (2)**  
16 **Table 5 - Salary Ranges Per Job Class, (Job Class Order), (3) the Tohono O'odham**  
17 **Nation FY 2012 Salary Plan Addendum Recommended Salary/Range Per Position**  
18 **for the Tri-Branch (collectively, "FY 2012 Tohono O'odham Nation Pay Plan").**
- 19 **2. Amends the Nation's Tri-Branch FY 2012 budgets effective October 1, 2011 to**  
20 **incorporate the compensation rates reflected in the FY 2012 Tohono O'odham**  
21 **Nation Pay Plan, including a fringe rate of 15.14%, for the total amount of**  
22 **\$4,078,924, which shall be funded from the Nation's general fund in the following**  
23 **amounts:**

24	<b>a. Executive Branch</b>	<b>\$3,592,427</b>
25	<b>b. Judicial Branch</b>	<b>\$433,369</b>
26	<b>c. Legislative Branch</b>	<b>\$53,128</b>

27 **BE IT FURTHER RESOLVED that the following methodology for implementing the Pay Plan will**  
28 **apply:**

- 29 **1. If the new grade/step is below the minimum of the new wage scale those positions**  
30 **will be incorporated into the new wage scale at step one, therefore employees will**  
31 **experience an increase in pay amounts.**

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1           2. If the new grade/step is above the minimum of the new wage scale those positions  
2           will be incorporated into the nearest higher step; therefore employees will not  
3           experience a decrease in pay amount.

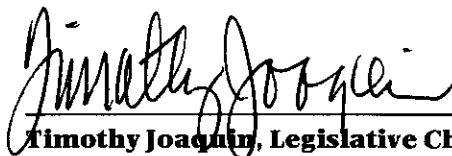
4           3. If step 18 of the new wage scale is less than the employees' current pay, they will not  
5           receive an increase.

6 **BE IT FURTHER RESOLVED** the compensation rate adjustments approved by this resolution shall  
7           include funding in FY 2012 for all respective grant, contract, and other written  
8           agreement/resources funding non-tribally funded positions; provided that such  
9           programs shall seek non-tribal funds to pay for the adjustment in subsequent fiscal  
10          years.

11 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes the Nation's  
12          Chairperson and any designated official to administer the FY 2012 Tohono O'odham  
13          Nation Pay Plan and to incorporate the adjusted compensation rates into the base  
14          budgets of the Tri-Branches, provided that any further budget amendments affecting  
15          the funds or funding level shall be submitted for approval by the Tohono O'odham  
16          Legislative Council.

17 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 2<sup>ND</sup> Day  
18 of DECEMBER, 2011 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-  
19 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by  
20 Section 1 (d)(2) and (d)(3) of Article VI of the Constitution of the Tohono O'odham Nation, adopted  
21 by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
22 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
23 18, 1934 (48 Stat. 984).

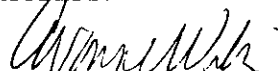
24  
25 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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29 Timothy Joaquin, Legislative Chairman

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31 2 day of December, 2011

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33 **ATTEST:**

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36 Evonne Wilson, Legislative Secretary

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38 2 day of December, 2011  
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**(Approving Tohono O'odham Nation Executive, Judicial, and Legislative Tri-Branch FY 2012 Tohono O'odham Nation Pay Plan Effective October 1, 2011)**

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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham  
2 Nation on the 2 day of December, 2011 at 4:05 o'clock, P.M.,  
3 pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective  
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
5 submittal.

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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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11 **Timothy Joaquin, Legislative Chairman**

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16  **APPROVED**

on the 02 day of December, 2011

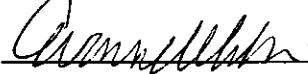
17  
18  **DISAPPROVED**

at 5:05 o'clock, P.M.

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22 **NED NORRIS, JR., CHAIRMAN**  
23 **TOHONO O'ODHAM NATION**

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29 Returned to the Legislative Secretary on the 5 day of

30 December, 2011, at 11:14 o'clock, A.M.

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33 **Evonne Wilson, Legislative Secretary**

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**ACTION:** APPROVING TOHONO O'ODHAM NATION EXECUTIVE, JUDICIAL, AND LEGISLATIVE TRI-BRANCH FY 2012  
TOHONO O'ODHAM NATION PAY PLAN EFFECTIVE OCTOBER 1, 2011

**MOVED:** COUNCILWOMAN EVELYN JUAN MANUEL

**SECOND:** VICE CHAIRMAN EDWARD MANUEL

**DATE:** DECEMBER 02, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			X
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE ( )	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> 215.8	1. HILARION CAMPUS ( )	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. CONDE ( )	84.90	X			X
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>