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Cherokee Council House  
Cherokee, North Carolina 28719  
\_\_\_\_\_ 2018

Resolution No. \_\_\_\_\_ 2018

- WHEREAS, the EBCI functions as a tribal government under the auspices of, first, the Lloyd Welch Constitution and later in 1947, Chapter 207 amended giving full authority to EBCI for Self-government; this action legally closed the jurisdiction of the N.C. State Charter, and
- WHEREAS, in 1986, Tribal Council changed the name of Chapter 207 to the Tribal Charter & Governing Document, and,
- WHEREAS, each year departments, programs and staff submit budgets for approval to the Executive Branch and the Legislative Branch justifying the need for the hiring of all tribal employees within their Department and program; and
- WHEREAS, all Budget items justifying the existence of the programs and staff require approval by the Executive and Legislative Branch who serve as auditors or the budget process; and
- WHEREAS, enrolled members assume that since these departments and program exist as stipulated by the budget process which reflects the needs of services provided by our Tribe on a set work schedule; and
- WHEREAS, all funding received by the EBCI from the US government, from the State, from grants, from the Casino, and tribal businesses and other financial sources belongs to every Tribal member with accountability not only to auditors but also to Tribal members as well as the above-mentioned funding entities; and
- WHEREAS, the EBCI tribal government observes policies and procedures as set forth under the auspices of the Tribal Code; and,
- WHEREAS, to truly function as a legitimate government; and
- WHEREAS, within the EBCI government entity all governmental services provided should be provided at specific times and dates with all tribally employed staff in all divisions and departments and with all tribal employees providing services per their job descriptions to the enrolled members and public entities; and

- WHEREAS, when Tribal staff are given liberal Administrative leave at holiday times and for tribal events, this subsequent absence from their paid job positions results in hardship for enrolled members who are unable to get needed assistance; and
- WHEREAS, knowledge by Tribal members of when the Tribe will be “opened and closed” for business around holidays and events is unknown by enrolled members; and
- WHEREAS, the EBCI Tribal government should function as a government, if needed, 24 hours a day, 7 days a week; and
- WHEREAS, paid employee positions are needed as established via the budget process rather than positions being partially needed by the EBCI government.

NOW, THEREFORE BE IT RESOLVED in Annual Council assembled, at which a quorum is present, that the Tribal Council of the Eastern Band of Cherokee establish a Work Session with required representation by relevant staff to determine specific policies and procedures and regulations to be followed by the Executive and Legislative Branch concerning the granting of Administrative leave rather than leaving sole discretion to the Executive and Legislative Branches in order that Tribal members may know for certain when the Tribe will be open and closed for the following holidays and events and that these scheduled absences from work will become part of the Tribal Code, and specific administrative leave will be scheduled for the following holidays and events:

**Holidays:**

New Year’s Day January  
Martin Luther King Day January  
President’s Day February  
Easter Holiday (falls between March 22 – April 25)  
Memorial Day May  
Independence Day July  
Labor Day September  
Tsali Day October  
Veterans Day November  
Thanksgiving November  
Christmas Day December

**Events:**

Sports events away from Cherokee  
Funerals of family members  
Funerals of former/current Tribal Council Members  
Funerals for former Principal Chiefs, Vice Chiefs

BE IT FURTHER RESOLVED, that the Principal Chief is the authority designated to carry out the intent of this resolution.

Submitted by: Mary Gloyne Wachacha  
September 19, 2018