



Compliance Plan

The Spokane Tribe of Indians Tribal Employment Rights Office

“The purpose of the Spokane Tribal Employment Rights Office (TERO) is to implement the preference requirements as set forth by the Spokane Tribal Business Council.”

Company _____

Project Name _____

Tribal Business License Number (Date Issued) _____

Date Requesting Compliance _____/_____/_____

Actual Sign-Off Date (TERO Office Information) _____/_____/_____

(Notice)

ANY EMPLOYER NOT SUBMITTING AN **ACCEPTABLE** COMPLIANCE PLAN WILL BE DENIED THE RIGHT TO COMMENCE OR CONTINUE DOING BUSINESS ON THE SPOKANE INDIAN RESERVATION.

BEFORE BIDDING, IT IS UNDERSTOOD BY ALL PARTIES THAT EACH EMPLOYER MUST COMPLY WITH ALL APPLICABLE TRIBAL LAWS.

The Contractor may negotiate with the TERO Director and submit a comparable Compliance Plan. But, again, each Contractor must submit an approved Compliance Plan.

Spokane Tribe of Indians
Tribal Employment Rights Office
6195 Ford/Wellpinit Road
P.O. Box 100
Wellpinit, WA 99040

Richard Garry, TERO Director, Phone: (509) 458-6529

CONTRACTORS SPECIFIC OBLIGATIONS

As a contractor/subcontractor conducting business on or near the Spokane Indian Reservation, your specific obligations under the Tribal Employment Rights Ordinance and this contract include the following:

1. The employer agrees that Indians will be given preference for 100% of the project. All labor positions shall be given preference to Indians. The employer agrees to contact the TERO office to locate qualified Indians applicants for core crew positions and other skilled positions. Dismissals must be in writing and a copy supplied to the TERO office, including layoffs.
2. Eliminate all extraneous job qualification criteria or personnel requirements which may act as barriers to Indian employment.
3. Contracting and subcontracting preference of Indian Owned businesses on the Spokane Indian Reservation. The contracting and subcontracting preference shall be manifested through giving bidding preference to Indian-Owned businesses.
4. Inform TERO of all signatory trade unions to be involved in the project. TERO obligations have priority over union obligations by a contractor signatory to any trade unions. However, TERO will consider Indian workers of the trade unions in order for contractors to meet their hiring goals.
5. Notify TERO of all job vacancies. All available Indian applicants shall be considered first before any non-Indians are considered for employment and training. If no qualified Indians are available, TERO will waive this obligation.
6. Employees referred by the TERO office will have preference in retention of employment. The employer will make a good faith effort to give those hired every opportunity to retain employment from the beginning to the end of the project.
7. The employer agrees to respect the right of the TERO referral to decide for themselves whether to accept cash in lieu of benefits or to accept fringe benefits for construction projects.
8. Whenever a Native American employee referred by TERO is not performing adequately, as determined by the employer, TERO will be notified immediately. The employer agrees not to terminate until TERO has been given the opportunity to explore the reasons for termination.
9. Allow on-site inspections by TERO representatives.
10. Provide copies of certified payroll reports to the TERO office upon request as specified in the TERO ordinance.
11. No work on the scheduled program will begin until all applicable agreements are signed. Failure to sign the required agreements shall serve as just cause for the contractor/subcontractor to be subject to sanction(s) as prescribed in the TERO Compliance Agreement and the Spokane Tribe of Indians TERO Ordinance.
12. The employer (prime contractor) or subcontractor who contracts as a prime shall pay a TERO fee (percentage) of the total contract dollar amount. This fee shall be made payable by check to the Spokane Tribal TERO.
13. Failure to comply with the aforementioned obligations may result in civil penalties.

Respectfully submitted by me as evidence by my signature found below, and under my authority vested in me as a duly-appointed representative for TERO.

TERO Representative

Date

Certification of Service:

I, _____, duly swear that I have been provided the contractors specific obligations of Indian Preference as a contractor conducting business on the Spokane Indian Reservation. I attest to the fact that the TERO representative whose signature is found above did in fact explain these specific obligations and allowed for an opportunity to represent questions, comment or discussion on these requirements related to this contract.

COMPANY INFORMATION

Company Name _____
Address _____
Phone Number _____
Email _____
Fax Number _____

Main Contact Person _____ Phone _____

Foreman _____ Phone _____

Supervisor _____ Phone _____

(Contractors)

Name of Prime Contractor _____

Name of Contract/Project _____

Total Number of Sub-Contractors _____

Total Contract Amount \$ _____

*(Copy of Contract Required)

Business Entities

Name of Owner _____

Name of Manager _____

Fees (% of Total Contract Amount if over \$100,000.00)

Note: (TERO Fee must be paid in full prior to starting contracting or be declared non-compliant with the Spokane Tribal

TERO, send payment to: P.O. Box 100 Wellpinit, WA 99040)

TERO Fee (? %) _____

ROSTER

Project Start Date _____ Project End Date _____

Core Crew: Shall mean key personnel required by the employer who are regular, permanent employees and are in a supervisory or other key position such that the employer would face a serious financial loss if that position were filled by a person who had not previously worked for that employee; only the first and thereafter every seventh employee may be employed as key personnel and/or core crew by an employer.

(Notice: A pay-roll sheet with name, phone number, and Job Title is required by the Spokane Tribal TERO Office every pay period. Pay-roll can either be mailed or emailed to the Spokane Tribal TERO Office. Failure to do so will result in non-compliance with the Spokane Tribal TERO Office.

Core Crew

Name	Job Title	Phone Number	Email

Indian Employees

Name	Job Title	Phone Number	Email

GOAL: The apparent low bidder shall agree to a goal of 100% Indian employment in those trades where there are qualified Native American workers available.

Percentage of Native American Workers on Project _____%

Indian and Non-Indian Contractor Form

(List the identified Indian preference subcontractors and non-Indian contractors)
NOTICE: "All sub-contractors must complete a separate Compliance Plan with the Spokane Tribal TERO Office. Failure to do so will result in sanctions/fines and possible loss of Spokane Tribal TERO Business License."

Indian Sub-contractors

Company	Area of Work	Contact Person

Non-Indian Sub-contractors

Company	Area of Work	Contact Person

Public Notice

Notice is hereby given to all prospective bidders, the Spokane Tribe of Indians has established a Local Ordinance concerning the Indian Preference labor and contracting or sub-contracting. All prospective bidders are required to contact the following person and office before bidding.

Richard Garry, Director

Spokane Tribal Employment Rights Office

P.O. Box 100

Wellpinit, Wa. 99040

(509) 458-6529

Fax: (509) 458-6556

