

WHAT IS T.E.R.O?

T.E.R.O. Stands for the Tribal
Employment Rights Ordinance or
Office.



WHY WAS THE TERO ORDINANCE ENACTED?

- The deplorable poverty, unemployment, & discriminatory barriers to employment that exist in Indian Country that contribute to socio-economic ills within the Native Community, i.e., alcoholism, suicide, poor health, low self-esteem, etc.
- Tribes enacted ordinances as a step in their overall economic development plan to capture contract dollars and keep those dollars circulating within the local community

WHAT IS THE PURPOSE OF THE TERO PROGRAM?

The primary purpose of the TERO Program is to enforce tribal law in order to insure that Indian People gain their rightful share to employment, training, contracting, subcontracting, and all other **economic opportunities** on or near reservations.



WHAT DOES THE TERO ORDINANCE DO?

- Sets conditions. Mandates requirements for covered employers.
- Establishes Authority. Empowers TERO Commission and TERO Staff.
- Assigns Responsibility. Delineates duties and responsibility of Commission and Staff.
- Imposes sanctions for violations. Clearly spells out penalty for violation of Tribal Law.
- Provides Due Process of Law. Protects all parties involved.



WHAT IS THE LEGAL BASIS FOR TERO?

The Tribe's authority to enact and enforce an Indian Preference law is grounded in its inherent sovereign status. As sovereigns, tribes have the power to regulate business, levy taxes, and establish the terms and conditions for Indian Preference in employment/contracting on reservations.



WHAT IS INDIAN PREFERENCE?

Indian Preference is a unique legal right tribal members have that entitles them to first consideration to all employment, training, contracting, subcontracting, and business opportunities that exist on, and in some cases near, reservations.



WHAT IS THE EXTENT OF TERO JURISDICTION?

- On or near the exterior boundary of the reservation as legally defined by Treaty or legislation including ceded lands, territories, and lands where jurisdiction has not been extinguished. (Usual and Accustomed Areas)
- Federal Highway Administration guideline for recognition of TERO on highway projects is: “Within a reasonable commuting distance”



BASIC REQUIREMENTS

ALL COVERED EMPLOYERS OPERATING WITHIN THE JURISDICTION OF TRIBAL GOVERNMENT ARE REQUIRED BY LAW TO GIVE PREFERENCE TO QUALIFIED INDIANS IN ALL ASPECTS OF THE FOLLOWING:

- Employment
- Overtime
- Training
- Transfers
- Promotions
- Summer youth
- Last in layoff
- 1st in recall
- Contracting
- Subcontracting



TERO FEE

Contracts of \$25,000.00 or more require a fee of 3% of the total contract amount.**

Tribal, Federal, State, Local Government contracts that are: on or near, for the benefit of Indians, and/or directly impact any Tribal resource are covered by the TERO Ordinance.

****Mandated requirements of the ordinance are enforced on all contracts regardless of contract amount.**



EEOC/TERO

Some tribes are contracted with the Equal Employment Opportunities Commission.

On behalf of EEOC the TERO's are authorized to counsel individuals with potential employment discrimination charges; Draft alleged charges of Title VII of the Civil Rights Act, as amended, file with EEOC, and/or attempt to resolve the charge by mediation.