

THE BLACKFEET TRIBE

OF THE BLACKFEET INDIAN RESERVATION

BROWNING, MONTANA 59417

TRIBAL COUNCIL

Earl Old Person
Lee Wilson
Joe Show
Archie St. Goddard
Floyd Gervais
James Baker
Leonard Mountain Chief
George Kicking Woman
Terry Racine

EXECUTIVE COMMITTEE

Earl Old Person, Chairman
James Baker, Vice-Chairman
Lee Wilson, Secretary
Eloise Cobell, Treasurer

RESOLUTION OF THE BLACKFEET TRIBAL BUSINESS COUNCIL

NO. 16-77

ESTABLISHMENT OF THE BLACKFEET TRIBAL EMPLOYMENT RIGHTS OFFICE

WHEREAS: Like land, water, and minerals, jobs in private employment on or near the reservation are an important resource for Indian people, and Indians must use their legal rights to obtain their rightful share of them as they become available and Indians have unique and special Indian employment rights, and in addition as citizens of the United States they are also entitle to the protection of anti-discrimination laws that Congress has adopted over the past ten years, but as had been the case in the past with natural resources, Indian employment rights have not been protected and non-Indians have benefited from thousands of jobs that could have and should have gone to Indian people, therefore, to substantially increase the employment of Blackfeet workers the Blackfeet Tribal Business Council shall establish a comprehensive Tribal Employment Rights Office (TERO) to enforce Indian Preference with all enterprises, businesses, and projects operated or undertaken within or near the Blackfeet Indian Reservation, and

WHEREAS: the Blackfeet Tribal Employments Rights Office (TERO) is needed, the Blackfeet Tribal Business Council authorizes the development and implementation of TERO, and also authorizes TERO to issue regulations and guidelines, to hire staff, expend funds and in addition TERO shall be located within the Economic Development Planning Commission in the tribal organizational structure, furthermore, the TERO director and his/her assistants shall be delegated sufficient power to carry out the mandate of the program, and

WHEREAS: the TERO shall require every reservation employer to give preference to Blackfeet Indians in employment and training including requirements that employers:

- (1) agree to hire no less than a specific number of Blackfeet Indians on each job classification, and

- (2) eliminate any extraneous job classifications, and
- (3) set up a tribal hiring hall system to refer applicants to the employer, so the employer never even sees a non-Indian applicant until he has interviewed all available Indian applicants, and
- (4) set up a "trainee program" that requires employers to hire a certain number of partially-trained Indians and train them on the job, and
- (5) make labor unions comply with tribal preference requirements.

The list of requirements are not limited to the above as the program gradually builds so shall the requirements, and TERO shall issue regulations to implement these components, and

WHEREAS: In addition to imposing preference requirements, the TERO shall work with the various Federal agencies in order to promote the Federally-established employment rights that are available to Indians; the tribe shall:

- a. Assist IHS, BIA and other Federal agencies to enforce Section 7(b) of S.D. 638, which requires recipients of Federal contracts and grants for the benefit of Blackfeet Indians to give employment preference to them, and
- b. coordinate with Equal Employment Opportunity Commission (EEOC), by informing tribal members of their Title VII Rights, developing a tribal FEPC, and obtaining deferral status from EEOC so the tribe can handle all Title VII cases filed by Indians against reservation employers, and
- c. monitor Federal contractors' compliance with Federal contract compliance requirements, particularly in areas near the reservation, and file complaints with OFCCP if the contractor is underutilizing Indian workers and such other cooperative relationships that will promote the employment and employment rights of tribal members, and

WHEREAS: the TERO shall be delegated the power to issue guidelines, to conduct investigations, to hold hearings, to subpoena information and witnesses, and to require reservation employers to submit reports; the TERO shall have power to impose fines, to require the employer to pay back wages to an aggrieved employee or applicant, and require the employer to take other steps to remedy the harm it did to individuals or the tribe; it is also important that the TERO have the power to suspend or even terminate an employers operation until it complies with tribal requirements, however, TERO shall consult with the Tribal Council before it imposes these more severe sanctions, and

WHEREAS: the Blackfeet Tribal Business Council shall decide what kind of appeals mechanism shall be set up to hear appeals by employers who have been sanctioned by the TERO, and due process requires that the employer be allowed to appeal decisions of the TERO that impose sanctions on it, also the TERO shall coordinate its functions with other tribal programs, such as, CETA, Indian Action Team, and Economic Development component and Federal agencies as well,

NOW THEREFORE BE IT RESOLVED THAT:

The Blackfeet Tribal Business Council establishes the TERO to assure that all the reservation employers abide by the rules, regulations, as so stipulated by the TERO, and like water, timber, coal, and other resources, increased Indian employment is clearly a resource worth fighting for.

THE BLACKFEET INDIAN TRIBE OF THE
BLACKFEET INDIAN RESERVATION

ATTEST:


Earl OldPerson, Chairman
Blackfeet Tribal Business Council


Lee Wilson, Secretary
Blackfeet Tribal Business Council

C E R T I F I C A T I O N

I hereby certify that the above Resolution No. 16-77
was approved by the Blackfeet Tribal Business Council in a duly called,
noticed and convened general session on the 5th day of May, 1977
with 8 members present to constitute a quorum.


Lee Wilson, Secretary
Blackfeet Tribal Business Council