



Tribal Employment Rights Office Mille Lacs Band TERO

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TERO CONTRACTOR OVERVIEW

Construction Contractors working on tribal construction projects within the boundaries of the Mille Lacs Band of Ojibwe Reservation must comply with MLBO Statue Title 15 Independent Agencies, Chapter 4 Tribal Employment Rights Office (TERO).

TERO Requirements for Contractors:

1. The General Contractor is responsible for paying the TERO Fee. The fee shall be payable directly to the TERO Office.
2. All contractors are required to have an approved TERO Compliance Plan in place prior to any work commencing on a project. All TERO Compliance Plans require TERO Director approval and signature.
3. TERO Compliance Plans may consist of a Core Crew and a Non-Core Crew.
 - a. The Core Crew is exempt from the Indian Preference Requirement and therefore is strictly limited to no more than 25% of the project crew. Core Crews typically consist of crew members that are in leadership roles.
 - b. The Non-Core Crew is subject to the Mille Lacs Band of Ojibwe's law for 50% Indian Preference. This means that half of the Non-Core crew positions shall be employment opportunities that are afforded to qualified tribal members in our local communities.
4. The TERO Office maintains a list of qualified TERO workers for referral purposes. Preference shall be given in order as follows;
 - a. Mille Lacs Band Member;
 - b. Member of another federally recognized tribe; and
 - c. All others.
5. Any changes in the crew once work has begun, will require an updated & approved TERO Compliance Plan.
6. Failure to have an approved TERO Compliance Plan in place, will result in non-compliance and the contractor will be subject to sanctions.
 - a. A fine of \$500 per day/per crew member will be imposed until the violation is resolved.

TERO Requirements for Contractors:

7. The Mille Lacs Band of Ojibwe utilizes the DBA federal prevailing wage rates (SAM.gov). This information should be attached to each project contract.
8. Each TERO referral is an employee of the contractor/subcontractor, and subject the that employer's personnel policies and procedures.
 - a. When completing the new hire paperwork, be sure that each TERO referral is aware of the company's personnel policies and procedures by providing a copy/link to the company's employee handbook.
 - b. Inform the TERO referral of their job classification and wage rate.
 - c. Explain the company's expectations regarding performance, punctuality and attendance.
 - d. Be clear about the weekly work schedule, including start/stop times and breaks.
 - e. If any performance or attendance issues arise and disciplinary action is recommended, inform the TERO Office immediately.
 - f. For winding down your work, TERO referrals are to be released last.

The Mille Lacs Band of Ojibwe TERO Office strictly enforces a ZERO Tolerance Policy in regard to Harassment, either verbal or physical. The Mille Lacs Band of Ojibwe TERO Office expects immediate and appropriate corrective action upon learning of any negative and/or hostile work environments.

If you have any questions or concerns regarding TERO, please contact me directly.

Respectfully,

Lori Trail

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Mille Lacs Band of Ojibwe
Tribal Employment Rights Office
TERO Director
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