



**Mille Lacs Band of Ojibwe
Tribal Employment Rights Office
TERO**

Tribal Employment Rights Office (TERO) Brief Overview:

- On contracts values of \$25,000 or more, the General Contractor will pay a one-time project fee of 0.5% of the total contract. This fee is payable to the TERO Office.
- Before any work commences on a project, there needs to be approved TERO Compliance Plans in place signed by the General Contractor, Sub-Contractors and the TERO Director.
- Failure to have approved TERO Compliance Plans in place prior to work beginning, will result in a fine being imposed on the General Contractor. A fine of \$500 per person/per day will be imposed until the violation is resolved, even if it is a Sub-Contractor that is in violation.
- When a contractor needs to make a change to their TERO Compliance Plan, they will need to update the plan and submit it to the TERO Director for approval & signature 24 hours in advance. Failure to have an updated plan in place, will result in a fine being imposed for having unapproved workers on-site.
- Section 1023 of the TERO law allows contractors to designate their Core Crew, but limits the Core Crew to 25% of the total crew. Definition of a Core Crew: Regular, permanent employees in supervisory or other key positions where an employer would face serious financial loss if the positions were filled by persons who had not previously worked for that employer.
- The Non-Core Crew is subject to the TERO requirement of 50% Indian Preference as outlined in Section 1021 of the TERO law.
- For the Contractors, the TERO Office maintains a list of qualified TERO referrals to fill the required Non-Core Crew positions.



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- If the TERO Office does not have a qualified referral, the TERO Director will authorize the contractor to utilize whomever they choose to complete the job.
- When a TERO referral is hired, they are the employee of the contractor, so please be clear as to how long the project is expected to last, what the wage will be according to the wage determination (SAM.gov) in the contract and what the expectations are upfront. When winding down the project, if releasing the Non-Core Crew in stages, TERO referrals are expected to be released last. If at any point in the project a TERO referral needs to be replaced, it is the expectation that the position will be filled with another qualified TERO referral.
- The Mille Lacs Band of Ojibwe TERO Office strictly enforces a ZERO Tolerance Policy in regard to Harassment, either verbal or physical. We expect immediate and appropriate corrective action upon learning of any negative and/or hostile working environments.
- Questions or comments;

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