

Ordinance 55-12

An Ordinance of Supplemental Appropriation for Administration (Flex Labor Program) of the Mille Laes Band Tribal Government for Fiscal Year ending September 30, 2012.

The District II Representative introduced the following Bill on the 19th day of April, 2012.

Preamble

It is enacted by the Band Assembly of the Mille Laes Band of Ojibwe for the purpose of appropriating for Governmental Operations for Fiscal Year September 30, 2012.

Title I.

Section 1: Governmental Operations. The Band Assembly hereby appropriates and authorizes expenditures for Administration for Fiscal Year September 30, 2012.

Section 1.01: Five hundred forty eight thousand one hundred seventy two dollars and thirty five cents (\$548,172.35) from 2011 carryover to support expanded Flex Labor Program to Band Members outside of TANF participants 280-610; under **Administration**; which amends the **Total Fiscal Year 2012 Tribal Operations** to read: Eighty four million one hundred fifty three thousand four hundred fifty two dollars and ninety two cents (\$84,153,452.92); and

Section 1.02: The Band Assembly hereby appropriates and authorizes the expenditure of supplemental programmatic funds for the following:

<u>Tribal Operation Fiscal Year 2012</u>	<u>Supplemental</u>	<u>Amended Amount</u>
Administration		
Flex Labor Program		
280-610, FY2011 Un-spent		
Net Revenue funds	\$548,172.35	\$13,938,791.73

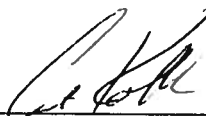
Section 1.03: The Band Assembly hereby authorizes Commissioners to approve budgetary revisions within programs up to **\$10,000.00** provided that the revisions are allowable under grant provisions, if applicable and that sufficient funds are available for the revision. For revisions over **\$10,000.00**, the Band Assembly hereby authorizes the Administration Policy Board to approve budget revisions within programs of up to 50% of the total programs budget within a given budget line if the program is under **\$100,000.00** and up to 20% if the program is **\$100,000.00** or greater.

All funds appropriated are maximum fund amounts and shall not be exceeded.

Ordinance 55-12
(Band Assembly Bill 15-01-55-12)

Introduced to the Band Assembly on this
nineteenth day of April in the year
Two thousand twelve.

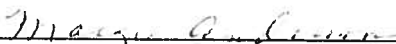
Passed by the Band Assembly on this
nineteenth day of April in the year
Two thousand twelve.



Curt Kalk, Speaker of the Assembly

APPROVED

Date: 4-20-12



Marge Anderson, Chief Executive

OFFICIAL SEAL OF THE BAND

Band Funded Flex Labor Program Component

Objective: The overall purpose of this program component is to maximize the use of federal funds and minimize the use of Band net-revenue funds to provide a full array of employment and training opportunities to all Mille Lacs Band members.

The Band Funded Flex Labor Pool Component offers two tracks:

- Community Service Work, this includes:
 - Elder or disabled workers who are not able to fulfill the demands of full-time, long-term employment but who can serve the community through a short-term or part-time community service position.
 - Services that are targeted to serving the community, primarily the Elders, and have no prospect of leading to full time unsubsidized employment in that placement.
- Work Experience Training opportunities to Participants not eligible for federally funded programming. This includes but is not limited to services for:
 - DOL training and work experience services for an enrolled Mille Lacs Band member, or their family, who resides outside the federally funded reservation program target area. This program component is not funded to serve residents in the urban metro area.
 - Band members who have not registered for Selective Service and are over 26 years old.
 - Ex-offenders, who are in full compliance with their probation or release conditions and whose past criminal records bar them from federally funded services due to the nature of their convictions.

Program Eligibility: This program services:

- Enrolled members of the Mille Lacs Band of Ojibwe only that reside in or near the rural reservation federally funded service area, and also,
- Have an income below 300% of the current Federal Poverty Guidelines.

The Band Funded Community Service Track: Services provided by the Community Service Track Participants will be in accordance with Mille Lacs Band Personnel Policies, including pre-employment drug and alcohol screening. Participants in this component are eligible for unemployment insurance compensation. Participants in this track are deemed to be largely work ready.

This track operates under the standard rules governing any Mille Lacs Band employment. The DOL functions as the employer and administrator of the community service activities. These positions are time limited only to the extent the need is time limited. For example: Elder lawn care has a high need in June- July but little or no need in November or April.

Services provided in the Community Service track will still incorporate employee development goals by provided enrichment training, such as small engine repair or landscaping training. Salary schedules will be developed with the assistance of the Mille Lacs Band Human Resources Department.

The Band Funded Flex Labor Work Experience Track: In contrast, services provided for the Work Experience Training Track will conform to the policies and procedures applied to the DOL federally funded programming, with the exceptions to eligibility and placement noted above. Mille Lacs Band Personnel Policies are used as a guideline in Employment and Training supervision and programming. Pre-placement screening is dependent on the worksite requirements. Work Experience Training is generally limited to 720 hours with no possibility of unemployment insurance compensation.

This track is structured to promote individual self-sufficiency through the development of healthy life choices, appropriate work habits and relevant job skills. Participants in this track are deemed to be at a stage where they may test and demonstrate their newly developed work readiness skills in a real life setting.

This employment training program targets four critical work behaviors:

1. **Reliability:** I will report for work ready and fit for work at the time and worksite designated by my supervisor. I will be present and work ready every scheduled day.
2. **Safety:** I will abide by all work safety rules and demonstrate proficiency with an accident free work record.
3. **Team Building:** I will contribute to building and reinforcing the workplace team. I will be a valued member of the workplace, well regarded and trusted.
4. **Achievement:** I will meet the performance, quality and/or production goals set by my supervisor.

The program pay structure is directly related to mastery of these four program behaviors.

The base pay for all participants is \$7.25.

After the first 120 hours, the DOL staff will evaluate records and information collected about your performance in the four targeted areas. Demonstrated mastery of each area will result in a \$0.30/hour “kicker” over the base pay.

These “kickers” can be stacked. Participants receive an additional \$0.30 “kicker” up to a maximum of 4 (\$1.20). per hour. However, the “kicker” is contingent on their continued demonstrated mastery. Each of the four targeted behaviors will be reassessed every 40 hours of work. Any regression to less than mastery will result in the loss of that particular “kicker” immediately. That “kicker” will only be reinstated once the targeted behavior has been demonstrated at the mastery level for another 120 hours.

Participants may have staggered mastery and therefore staggered “kickers” as they may demonstrate 120 hour of mastery in one area before they do in another. The total “kicker” may therefore be \$0, \$0.30, \$0.60, \$0.90 or \$1.20 per hour.

All participants who demonstrate 600 consecutive work hours of mastery will receive a certificate of recognition for their achievement in that area and a bonus of \$100. Mastery in all four areas for 600 consecutive hours could result in a \$400 bonus.

These hours of mastery will be available to Participants to add to their resume, applications or cover letters for other full time jobs. With their authorization the DOL will provide this reference information to other employers to help them secure full time employment.

Unemployment Compensation:

Each Participant must sign an agreement outlining the structure of the program and acknowledging the following:

“I understand that the Flex Labor Pool Program is a federal grant supported employment training program of the Mille Laacs Band of Ojibwe Department of Labor and that according to Minnesota Statute 268.035, Subd 20 (10) I will not be eligible to file for unemployment compensation once this program employment ends.”

Supervision

The participant must have an assigned supervisor(s) to whom he/she reports. It is the responsibility of the supervisor to ensure that the participant understands the nature of his/her work. In addition, there must be a supervisor available to provide guidance with work activities, as needed.

Worksite Agency Responsibilities

The worksite supervisor agrees to:

- Outline the participant’s job duties and responsibilities and instruct the Participants in the performance of his/her job.
- The supervisor will provide an orientation covering policies, work hours, holidays, lunch break, and other necessary information.
- Provide continual supervision by checking the progress at various times each day.
- Make sure the Participant does not exceed authorized working hours. Worksite agency is responsible for all payment hours beyond 40 hours per week.
- Objectively evaluate the Participant’s job performance according to criteria provided on an evaluation issued by the Department of Labor.
- Make sure conditions of work are safe and that safety training is provided and that safety guidelines are observed.
- Immediately report all accidents and injuries to: Worksite Agency’s Human Resources AND MLBDOL office and MLB Human Resources department.
- Make sure the Participant’s work time is accurately reported and is **certified by the supervisor** and participant and that time sheets are forwarded to the DOL each Friday or otherwise specified day.
- Discuss minor job-related problems with the Participant.

- Contact the Department of Labor Job Developer to assist the Participant with personal problems or recurring work-related problems.
- Consult the Department of Labor Job Developer before making any severe reprimands or major changes in the participant's job duties.

MLB Department of Labor Employment Program Responsibilities

The MLBDOL agrees to:

- Provide general orientation and on-going counseling to Participants relating to proper work habits and program requirements. Assure prompt and regular payment to the participant.
- Provide information and technical assistance to the worksite supervisor regarding program requirements.
- Provide support to the supervisor regarding any work-related problems involving the participant.
- Transfer or terminate a Participant. This is the responsibility of Department of Labor Job Developer with concurrence of Worksite Supervisor.

Paid time for GED Preparation: Flex Labor Work Experience Participants may include GED test preparation time as part of their weekly work hours when:

- They are over 20 years of age.
- The Director of Job Placement Services has approved the GED preparation component as a portion of the Participants work schedule.
- They have shown evidence of being a reliable, cooperative, safe and achievement oriented worker in their past Flex Labor Work assignments.
- The Director of Training and Development has approved the test preparation time parameters concerning the weekly schedule, how many hours will be credited and for how many months. This structure may require assessment data to accurately define. The assessment testing time may be paid hours.
- The participant is cooperative, reliable and consistent in their GED preparation.
- Paid preparation time must be in-classroom time. No home study time may be clocked as paid hours.
- There is significant and steady progress over time in obtaining the GED certificate.

The paid GED test preparation time may not exceed 15 hours per week and GED test preparation cannot be the sole Flex Labor work assignment. The Participant is ineligible if GED preparation time is paid by another program.

Flex Labor Program Placement Procedures

1. All prospective Flex Labor Participants must attend one DOL Monday orientation session and complete all assessments and tests associated with that orientation.
2. The DOL Job Placement staff will assess the Participant through their, assessments, written resume, application, and an interview.
3. The DOL Job Placement will enter the Participant's information into the appropriate DOL databases.

4. The DOL Job Placement staff will market and develop the Flex Labor Pool Program to and with Mille Lacs Band divisions and departments. Those Mille Lacs Band departments will make requests for labor using the Flex Labor Pool Requisition Form.
5. The Job Placement Staff will match Participants to job assignments.
6. The Job Placement staff will ensure each placement has a signed Worksite Agreement and Participant Agreement.
7. The DOL Job Placement staff will ensure that all appropriate MLB Human Resources Department paperwork is accurate and complete.
8. The DOL Job Placement staff will ensure that each Participant is evaluated on schedule and that all incentives are properly applied.