
Tribal Employment Rights Office

Quinault Indian Nation TERO
P.O Box 189, Taholah, WA 98587
Phone: 360-276-8215 Ext. 4800
TERO@quinault.org

COMPLIANCE PLAN & AGREEMENT

for

(Company Name)

Note: All Contractors/Subcontractors must meet with the TERO office.

Any covered entity not submitting a completed compliance plan will be denied the right to commence work on the Project. A compliance plan should be submitted at least 72 hours prior to starting project. All Contractors are required to submit a copy of the contract with the compliance plan to TERO.

**Failure to comply with the TERO Ordinance
may result in civil penalties.**

Historically, Quinault Tribal members and other Indians have suffered discrimination in employment on and near the Quinault Reservation by being excluded from the employment market and experiencing discrimination when employed by private sector employers. As a result, Indians have suffered poverty and high unemployment rates, lost opportunities to learn needed skills or to participate in job training programs, lost opportunities for permanent/full time employment, and were not paid equal wage for equal work. To eliminate discrimination and insure that tribal members and other Indians on the Quinault Reservation will have preference in employment and training opportunities, the Quinault Nation established a Tribal Employment Rights Ordinance (TERO), Title 97 of the Quinault Tribal Code.

Project Information

Project Name: _____ Project No. _____

Location: _____

Project Owner: _____

Project Architect: _____ Phone: _____

Project Funding Agency: _____

Funding Agency Contact: _____ Phone _____

Project Start Date: _____

Project Completion Date: _____

Contractor Information

Check all that apply: ☐ Prime ☐ Contractor ☐ Sub Contractor ☐ Union ☐ Non-Union

Company: _____

Complete Address _____

Contact Person: _____

Title: _____

Phone: _____ Cell: _____

Email: _____

Insurance Company: _____

Policy: _____

Scope of work performed: _____

Construction Schedule/Business Plan: _____

Work Commencement Date: _____

Work Completion Date: _____

Contract Amount: _____ TERO Fee 1.75%: _____

This agreement shall be for the life of this specific project, This compliance plan serves as an invoice – payment must be paid prior to commencing work.

Identification of Key Personnel

A Key Employee is defined as one who is in a top supervisory position or performs a critical function such that an Employer would risk likely financial damage or loss if that task were assigned to a person unknown to the Employer.

Name	Position/Classification	Licensed Yes/No	Hourly Rate	Length with Company

ALL SUPERVISORY KEY PERSONNEL LISTED ABOVE ARE REQUIRED TO ATTEND THE TERO PRE-CONSTRUCTION MEETING, WHICH WILL BE HELD PRIOR TO THE BEGINNING OF WORK ON THE PROJECT IDENTIFIED ON THIS COMPLIANCE PLAN.

Employment Rights Fee

Every Employer with a construction contract in the amount of \$10,000 or more, or more than one contract in a 12 month period and the aggregate sum of those contracts is \$10,000 or more, shall pay a one-time fee of 1.75% of the total amount of each contract. Such fee shall be paid by the Employer prior to commencing work on this project.

Identification of Sub-Contractors

It shall be the Prime/General Contractor's responsibility to provide copies of this TERO Compliance Plan and Agreement form to all their subcontractors and suppliers. All Subcontractors must secure an approved TERO Compliance Plan and Agreement **prior** to the commencement of any portion of work activity they will be involved in. The Prime and all subcontractors are required to attend a TERO Pre-Construction meeting prior to the beginning of work.

Company Name	Phone	Scope of Work	Estimated Start Date

Manpower Requests

Provide a preliminary estimate of workers (in addition to permanent and key employees) that your company will require for completing the work on this project. List classification/skill, number needed, starting date, and pay rate. A TERO Dispatch form and follow up call to TERO at least forty-eight (48) hours prior to identified “start date” is required.

Attach a copy of Personnel Manual and Company application to be used in selection process.

Skill/Qualification	Start Date	No	Pay Rate	Special Instruction

Training and Salary

The Employer agrees that all local Indian employees will receive adequate training for the position for which they are hired. All native employees will be evaluated and paid in accordance with a training plan set forth between the contractor and TERO.

All contractors shall compensate their Employees at a rate not less than the approved Quinault Construction wage scale specified for their trade or the prevailing wage scale per Contract requirements. If the company is signatory to a Construction trade union, the current union pay scale with fringe benefits of that trade will be paid, in cash, unless otherwise specified through any other compliance plan or Contract; provided, that it is not less than the Quinault Construction wage scale.

Emergency Replacement Workers

Employers operating during hours when the TERO office is closed (i.e. weekends, holidays, etc.) who are in need of workers to fill a vacancy will be authorized to place an emergency worker to fill the vacancy. This emergency placement shall be allowed for no longer than seventy-two (72) hours. The TERO will be notified of such hires immediately upon the next working day and the position will be filled by TERO worker(s) unless none are available. The TERO Office hours are between 8 AM-4:30 PM Mon-Fri

Notify TERO by email or call our cell phones listed.

Termination/Layoff

No TERO workers shall be terminated except for cause as provided in the contractor’s personnel policies.

No TERO worker, who can perform the work required, shall be terminated through layoff or reduction in force while a non-Indian or non-local Indian employee in the same craft is still employed. If employees are laid off by crews, classifications or other categories, qualified TERO workers shall be transferred to crews or positions that will be retained.

Enforcement

The TERO Manager or Compliance Officer has the right to make on-site inspections and conduct compliance investigations at all sites where employment is taking place under the provisions of this compliance plan.

Employers ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites in all facilities at which the employees are assigned to work. Employers shall specifically ensure that all supervisors are aware of and carry out the Employers' obligations under the TERO ordinance.

The Employer agrees to comply with all rules and regulations set forth in the TERO Ordinance. This agreement is affirmed in writing by the appropriate company officer.

TERO Pre-Construction Meeting

A TERO Pre-Construction meeting is required to provide each contractor and their supervisory personnel orientation on the TERO requirements and procedures. The meeting must occur prior to the project start date. The Prime/General Contractor shall be responsible for contacting TERO to schedule the meeting and for providing notification of meeting date and time to their subcontractors.

Meeting Date	Location	Time

TERO Personnel _____

TERO Understanding and Acceptance

Quinault Nation Tribal Employment Rights Office

Understanding & Acceptance

On behalf of _____, I hereby certify that I have received and understand the Quinault Nation Tribal Employment Rights Office (TERO) requirements set forth in this TERO Compliance Plan and Agreement, and hereby agree to accept the responsibility of compliance with the described obligations and requirements.

Dated this _____ day of _____, 20_____.

Project: _____ Project No. _____

Contractor: _____ Sub-Contractor: _____

Address: _____

Phone: _____ Fax: _____

Printed Name: _____ Title: _____

Signature: _____ Date: _____

TERO ATTEST

On behalf of the Quinault Nation TERO, I hereby attest to the conditions set forth in this TERO Compliance Plan and Agreement, and will enforce this agreement through the powers vested in me by the Quinault TERO Commission and the Quinault Nation Employment Rights Ordinance (TERO) Title 97.

Signature _____ Date _____
TERO Compliance Officer or Representative

NOTICE TO PROCEED

The attached TERO Compliance Plan and Agreement has been received and is fully acceptable. On behalf of the Quinault Nation TERO, authorization to begin work on the above-described project is hereby granted.

Signature _____ Date _____
TERO Compliance Officer or Representative