

NEZ PERCE TRIBE
By-Laws for the Nez Perce Tribe's Tribal Employment Rights Commission

ARTICLE I – PURPOSE

The Nez Perce Tribe has enacted the Nez Perce Tribal Code, pursuant to the Constitution and By-Laws of the Nez Perce Tribe, Article VIII. The Nez Perce Tribal Code authorizes the establishment of the Tribal Employment Rights Commission as an administrative agency of the Nez Perce Tribe.

The purpose of the Nez Perce Tribal Employment Rights Commission is to assist the Nez Perce Tribal Executive Committee in ensuring that economic opportunities for employment and for contracting within lands subject to the jurisdiction of the Nez Perce Tribe are provided to members of the Nez Perce Tribe and other Native Americans and to businesses owned by members of the Nez Perce Tribe or other Native Americans. The purpose and duties of the Nez Perce Tribal Employment Rights Commission are subject to the Nez Perce Tribe's Treaty of 1855, the Nez Perce Tribe's Constitution and By-Laws, the Nez Perce Tribal Code, and applicable federal and tribal laws.

Consistent with § 9-1-14 of the Nez Perce Tribal Code, the Commission is required to adopt By-Laws consistent with Title IX and subject to the approval of the Nez Perce Tribal Executive Committee.

The Commission shall not assume the role of policy spokesman for the Nez Perce Tribe without the formal authorization and approval of the Nez Perce Tribal Executive Committee.

The Treaty of 1855, the Constitution and By-Laws of the Nez Perce Tribe, and the Nez Perce Tribal Code shall supersede these By-Laws where the two are inconsistent.

ARTICLE II – NAME

The name of this organization shall be The Nez Perce Tribal Employment Rights Commission, hereinafter be referred to in these By-Laws as the "Commission."

ARTICLE III – TERRITORY

The territorial jurisdiction of the Commission shall coincide with the territorial jurisdiction of the Nez Perce Tribe as provided in Title IX of the Nez Perce Tribal Code and described in Article III of the Nez Perce Tribe's Constitution and By-Laws.

The Commission shall exercise such jurisdiction as authorized by the Nez Perce Tribal Executive Committee.

**ARTICLE IV - COMMISSION MEMBERSHIP, APPOINTMENT, MEMBERSHIP QUALIFICATIONS,
TERM, RESIGNATION, REMOVAL, AND VACANCIES**

Section 1. Membership. The Commission shall consist of five (5) tribal members.

Section 2. Appointment. NPTEC shall annually appoint persons to fill any Commission vacancies. For all Commission positions, NPTEC shall choose persons capable and willing to perform the duties of the Commission.

Section 3. Qualifications. The selection and appointment of Commission members shall be made based on consideration of the Tribe's welfare and best interest in ensuring that economic opportunities for employment and for contracting within lands subject to the jurisdiction of the Nez Perce Tribe are provided to members of the Nez Perce Tribe and other Native Americans and to businesses owned by members of the Nez Perce Tribe or other Native Americans. No person shall be appointed to the

Commission unless he/she is well informed about and interested in these issues. Minimum qualifications for Commission membership shall be:

- a) Enrolled member of the Nez Perce Tribe;
- b) Eighteen (18) years of age or older;
- c) Available time to be an active, informed member of the Commission;
- d) Willingness to receive orientation, training, information and education regarding treaty rights and tribal employment and contracting issues.
- e) Willingness to take the required oath of office for Commission members;
- f) Willingness to serve in full capacity as a Commission member at established rates of reimbursement;
- g) Willingness to be interviewed and evaluated by the General Council for Commission membership; and,
- h) Willingness to accept the decisions of the Nez Perce Tribal Executive Committee as the governing body of the Nez Perce Tribe with final authority over Commission actions.

Section 4. Term.

Commission terms shall begin upon appointment by NPTEC. Commission members shall serve three (3) year terms which shall be staggered so that only two positions are subject to renewal in any one year. The members shall select among themselves a chairperson, vice-chairperson, and secretary.

Terms shall expire upon the swearing in of newly appointed members.

Section 5. Commission Record-Keeping. The Commission's shall keep written minutes of its meetings (other than confidential discussions conducted in Executive Session) and written or audio of transcripts of its hearings.

Section 6. Vacancies. If a Commission member resigns, dies, becomes incapacitated, or is found guilty of a felony or major crime in any court of law, NPTEC shall declare the Commission position vacant. If any Commission member misses two consecutive Commission meetings without a valid excuse, NPTEC, upon petition of the remaining Commissioners, may declare the position vacant.

Section 7. Removal. Members of the Commission may be removed for cause.

a) For Cause, defined. A member of the Commission may only be removed for cause. The basis for a for cause removal of a Commission member shall consist of, but not be limited to, the following;

- Neglect of duty;
- Found guilty of a felony or major crime in any court of law
- Failure to recuse oneself in cases of conflicts of interest; Gross misconduct; or
- Failure to attend Commission meetings. Commission members who miss two (2) un-excused meetings shall be subject to immediate removal from office.

b) Removal Procedure. A petition to initiate the removal of a Commission member may be initiated by either a majority of the Commission or the Nez Perce Tribal Executive Committee. The Nez Perce Tribal Executive Committee, after reviewing the petition, shall have the sole authority to remove a Commission member and must do so by a vote of at least five (5) members in favor of removal. Before any vote for removal is taken by the Nez Perce Tribal Executive Committee, the Commission member

who is subject to removal from the Commission shall be provided a written statement of the allegations against him/her at least five (5) days before the meeting of the Nez Perce Tribal Executive Committee before which said member is to appear, and the member shall be provided an opportunity to answer any and allegations at such designated meeting. The decision of the Nez Perce Tribal Executive Committee on the removal of the Commission member shall be final.

Section 8. Filling Vacancies. All vacancies shall be filled as soon as possible in accordance with Title IX. If a position on the Commission becomes vacant because of resignation, removal, death or other reason and in the event that the number of unfilled Commission vacancies prevents gathering of a quorum for purposes of conducting business or the Commission, NPTEC shall act as the interim Commission until such time as the filling of the Commission vacancies allows for a quorum.

ARTICLE V - OATH OF OFFICE AND COMMISSION ORGANIZATION

Section 1. Oath of Office. Each Commission member appointed to the Commission shall take an oath of office prior to assuming the duties of such position, by which oath he/she shall pledge him/her self to support and defend the laws of the Nez Perce Tribe, the Nez Perce Tribe's Treaty of 1855, the Commission By-Laws, and the Constitution and By-laws of the Nez Perce Tribe. The oath of office shall be administered by the Nez Perce Tribal Court, and shall be: "I (state name), do solemnly swear (or affirm) that I will carry out faithfully and impartially the duties as a Commissioner of the Nez Perce Tribal Employment Rights Commission to the best of my abilities, that I will promote and protect the best interests of the Nez Perce Tribe, in accordance with the laws of the Nez Perce Tribe, the Nez Perce Tribe's Treaty of 1855, the Commission By-laws and the Constitution and By-laws."

Section 2. Commission Officers. The officers of the Commission shall be the Chair, Vice-Chair, and Secretary. The officers shall be elected annually by the Commission from among the Commission's membership.

Chair - The Chair shall preside over all meetings of the Commission and establish the agenda for all meetings. The Chair shall perform all duties of the Chair and exercise any authority delegated to the Chair by the Nez Perce Tribal Executive Committee and these By-Laws. The Chair will report at least annually to the General Council and at special meetings of the General Council if requested to do so by the Nez Perce Tribal Executive Committee.

Vice-Chair - The Vice-Chair shall assist the Chair when called upon to do so. In the absence of the Chair, the Vice-Chair shall preside, and when so presiding shall have all the rights, privileges and duties, as well as the responsibilities of the Chair.

Secretary - The Secretary shall be responsible for all of the written records of the Commission. While staff designated by the Nez Perce Tribal Employment Office may provide the secretarial duties, when available, it shall be the responsibility of the Secretary to assure all written records are kept, and notices, correspondence and minutes are distributed in a timely fashion. All minutes will be distributed to appropriate Tribal Offices and a permanent file maintained in the Tribal Office by the Tribal Executive Secretary. In the absence of the Chair and Vice-Chair, the secretary shall preside, and when so presiding shall have all the rights, privileges and duties, as well as the responsibilities of the Chair.

ARTICLE VI - TIME AND PLACE OF MEETINGS AND PROCEDURE

Section 1. Meetings. The Commission shall meet when business demands and requires attention. Regular and special meetings shall be called by the chair.

Any two Commission members may request the Chair, in writing, to schedule a special meeting of the Commission. If the Chair fails to schedule a meeting within five days after receipt of a written request, any other two Commission members may call such a meeting.

Meetings held in public places and open to the public unless they involve deliberations concerning decisions on alleged violations of this Title or communications with legal counsel.

Section 3. Notification of meetings. The Chair shall be responsible for notifying Commission members of upcoming Commission meetings. No Commission meeting shall be held unless a good faith effort is made to contact each member.

Public notice of the Commission meetings shall be given three (3) days in advance of the meeting.

Section 4. Quorum. A quorum will consist of a minimum of three (3) members of the Commission. Official business is when the Commission receives information that will result in a motion at that meeting. The Commission may review non-official business when a quorum is not present. The Chair or designee shall be responsible for determining official and non-official business if a quorum is not present.

Section 5. Voting. Commission decisions and recommendations must be by a majority vote of the members present. The Chair shall only vote to break a tie. Any members who disagree may make their dissent along with the reason for that dissent known when the decisions and recommendations are provided to the Nez Perce Tribal Executive Committee's Law & Order Subcommittee.

Section 6. Order of Business. The following order of business is established for all meetings, but may be changed by the Commission, if deemed necessary:

- a) Call to order by Chair
- b) Roll Call
- c) Ascertainment of quorum
- d) Reading of minutes of the last meeting
- e) Adoption of minutes by a majority vote
- f) Unfinished business
- g) New Business
- h) Non-agenda items
- i) Adjournment

Section 7. Report of Meetings. All minutes of the commission will be distributed to the members of the Commission and to the Nez Perce Tribal Executive Committee. A permanent record of all minutes will be maintained in the Tribal Office by the Executive Secretary. The Chair or his/her designee will report to the Law & Order Subcommittee upon request. Upon NPTEC's request, the Chair and/or the Commission shall report to NPTEC. The Chair and/or the Commission will report at least annually, to the General Council, or more frequently, if requested by the Chair of the Nez Perce Tribal Executive Committee.

ARTICLE VII - DUTIES AND POWERS OF THE COMMISSION

Section 1. Duties & Powers: Subject to the provisions of Title 9, the Nez Perce Tribal Code and the Constitution and By-laws of the Nez Perce Tribe, the following duties and powers shall be exercised by the Commission:

- (a) to promulgate regulations necessary to implement Title IX consistent with applicable federal law and with Chapter 2-5 of this Code;
- (b) to meet periodically with the Director to review the Compliance Program policies, performance, allocation of staff personnel and budget and to recommend needed improvements to the Director and/or NPTEC;
- (c) to meet with the Law and Order Subcommittee as necessary as deemed by the Subcommittee or TERC;

- (d) to recommend to NPTEC broad policies and long range programs for the advancement of tribal employment contracting and subcontracting goals;
- (e) to provide for the assembly and distribution of information to the public relating to tribal employment training and opportunities;
- (f) to perform such duties and exercise such powers as from time to time may be conferred by NPTEC;
- (g) to hold hearings, consistent with Chapter 2-5, and issue subpoenas for the appearance of witnesses and the production of documents with respect to such hearings; and
- (h) to perform such other duties and exercise other powers as set forth in Title IX.

Section 2. Other Commission Duties. The Commission shall:

- a) Keep the minutes of all meetings of the commission in an appropriate manner;
- b) Prepare and send all notices required by law or by the By-laws;
- c) Prepare the agenda for all meetings of the Commission;
- d) Be custodian of Commission records;
- e) Inform NPTEC of correspondence relating to business of the Commission and attend to such correspondence;
- f) Prepare Commission correspondence when directed by NPTEC;
- g) Conduct other such Commission business as required or directed by NPTEC.

Section 3. Conflict of Interest. Members of the Commission shall refrain from acting in an official capacity when the member stands to gain money, property, favors, preferential treatment for him/her self or their immediate family. Conflicts shall be reported immediately to the Chair of the Nez Perce Tribal Executive Committee by the Commission or ex-officio.

Section 4. Duty to Report. The Commission shall submit reports of its activities as required by the Nez Perce Tribal Executive Committee.

ARTICLE VIII - MODIFICATION OF BY-LAWS

These By-Laws may be modified or amended in writing by a majority vote recommendation of the Commission to the Nez Perce Tribal Executive Committee and adoption by a vote of five of the nine members of the Nez Perce Tribal Executive Committee. Any such modification or amendment to the Commission's By-Laws may not exceed the scope of the authority contained in the Nez Perce Tribal Code. These By-Laws and any such modification or amendments shall be kept by the Commission and the Secretary of the Nez Perce Tribal Executive Committee.

ARTICLE IX - RATIFICATION OF BY-LAWS

These By-Laws shall become effective upon the approval by the Nez Perce Tribal Executive Committee.

TITLE 9
INDIAN PREFERENCE IN EMPLOYMENT AND CONTRACTING
(adopted by NPTEC 1/24/06)

CHAPTER 9-1 GENERAL PROVISIONS

§9-1-1 Declaration

The members of the Nez Perce Tribe suffer from economic underdevelopment, unemployment, and poverty. Employment and contracting opportunities for members of the Nez Perce Tribe and their business enterprises within the exterior boundaries of the Nez Perce Reservation directly affect the health and welfare of the Tribe because these opportunities provide the means for members of the Tribe to gain employment, skills, and the dignity that comes with employment and economic well-being.

It is the public policy of the Nez Perce Tribe to promote the economic health and welfare of its members and other Native Americans.

§9-1-2 Purpose

The purpose of this Title is to ensure that economic opportunities for employment and for contracting within lands subject to the jurisdiction of the Nez Perce Tribe are provided to members of the Nez Perce Tribe and other Native Americans and to businesses owned by members of the Nez Perce Tribe or other Native Americans.

§9-1-3 Scope

The Nez Perce Tribe has authority to apply this Title to every contractor and employer within its jurisdiction. The TERO Office shall apply this Title to construction and forestry-related contractors, and, with the approval of NPTEC, the Office may apply this Title to other employers and contractors within the jurisdiction of the Tribe, taking into consideration the size of the employer or contract and the resources available to the Office. (amended 6/13/06)

§9-1-4 Rule of Construction

The provisions of this Title shall be construed to further the stated purpose.

§9-1-5 Definitions

(a) Aggrieved person - An individual or entity of any sort, other than the Director or a member of the Commission, who likely will suffer substantial and particularized injury to a personal or property interest.

(b) Bid shopping - Any practice involving the provision of information to a prospective contractor or subcontractor that a competitor has submitted a lower price than that of the prospective contractor or subcontractor and the offer to such contractor or subcontractor of an opportunity to underbid the competitor.

(c) Business days - Working days, not including Saturdays, Sundays, or federal, state, or tribal holidays.

(d) Business necessity - Essential to proper functioning of an employer's business.

(e) Certified Indian business - An Indian-owned firm that is certified according to the

criteria and procedures in Chapter 9-4.

(f) Commission - The Tribal Employment Rights Commission of the Nez Perce Tribe, as described in §9-1-6 and §9-1-7.

(g) Construction - Excavation for, building of, and finishing out of, structures for public works, commercial, or governmental purposes, including the construction of roads and bridges.

(h) Contracting Entity - The entity, including any person, corporation, business, or governmental entity of any sort, offering a prime contract or a subcontract for construction or for forestry-related services within the Reservation. A contractor offering a subcontract is a "contracting entity."

(i) Contractor - A firm, joint venture or entity of any sort that bids for or obtains a contract from a contracting entity to perform construction or forestry-related services within the Nez Perce Reservation.

(j) Core crew - Owners, officers, and directors of private employers or contracting entities who are listed in such positions on the annual payroll for a minimum of one year continuously. An employee who is hired on a project by project basis is not considered within the core crew.

(k) Director - The Director of the Tribal Employment Rights Office, as described in §9-1-15.

(l) Employer - Any contracting entity, contractor or subcontractor. (amended 6/13/06)

(m) Indian or Native American - An enrolled member of any federally recognized Indian Tribe. Upon request, applicant will be required to provide certification/identification from the Tribe or BIA Agency Superintendent for the Tribe for which enrollment is claimed.

(n) Indian Tribe - A federally recognized Tribe, band, nation or other organized group or community including any Alaska Native village or regional or village corporations as defined in or established according to the Alaska Native Claims Act.

(o) Joint Venture - An association of two or more persons or firms to carry out a single or limited number of business enterprises for profit, for which purpose they combine their property, money, effects, skills and knowledge.

(p) Key employee - An employee who occupies a supervisory position or one who possesses a specialized skill and who performs a critical function, such that an employer would likely risk financial damage or loss if unable to employ that person.

(q) Near reservation - Within reasonable daily commuting distance of the Reservation.

(r) Nez Perce tribal member - An enrolled member of the Nez Perce Tribe. Upon request, applicant will be required to provide identification from the Nez Perce Tribe or Certification of Indian blood from the BIA Agency Superintendent of the Northern Idaho Agency

- (s) Non-Indian business - A bidder for a contract or subcontract that is not a certified Indian business.
- (t) NPTEC - The Nez Perce Tribal Executive Committee.
- (u) Office - The Tribal Employment Rights Office as described in ' 9-1-15 of this Title.
- (v) Reasonable Price - Any bid from a Certified Indian Business that is within 10% of the lowest bid is deemed a reasonably priced bid.
- (w) Reservation - Land within the exterior boundaries of the Nez Perce Reservation established by the Treaty of June 11, 1863 (14 Stats. 647).
- (x) Subcontractor - A firm, joint venture or entity of any sort that bids for or obtains a subcontract from a contractor to perform construction or forestry-related services within the Nez Perce Reservation.
- (y) Technically Qualified - A potential contractor or subcontractor that possesses the technical qualifications to perform a contract or a subcontract or a discrete part of a contract or subcontract.
- (z) Tribal Court - The Nez Perce Tribal Court.
- (aa) Tribal enterprise - Any enterprise wholly owned and managed by the Nez Perce Tribe.
- (bb) Tribal government - The governmental departments of the Nez Perce Tribe.

§9-1-6 Tribal Employment Rights Commission

The Tribal Employment Rights Commission of the Nez Perce Tribe is established as an administrative agency of the Nez Perce Tribe and shall consist of five (5) members. In the event that a conflict of interest concerning a sitting Commissioner is brought to the Commission's attention or in the event a sitting Commissioner is unable to participate, the NPTEC liaison shall serve for that Commissioner. Commissioners shall serve for staggered terms of three (3) years. They may be removed for cause by majority vote of the NPTEC.

§9-1-7 Duties and Powers of the Commission

Subject to the provisions of this Title, this code and the Constitution and laws of the Nez Perce Tribe, the following duties and powers shall be exercised by the Commission:

- (a) to promulgate regulations necessary to implement this Title consistent with applicable federal law and with Chapter 2-5 of this Code;
- (b) to meet periodically with the Director to review the Compliance Program policies, performance, allocation of staff personnel and budget and to recommend needed improvements to the Director and/or NPTEC;
- (c) to meet with the Law and Order Subcommittee as necessary as deemed by the Subcommittee or TERC;

- (d) to recommend to NPTEC broad policies and long range programs for the advancement of tribal employment contracting and subcontracting goals;
- (e) to provide for the assembly and distribution of information to the public relating to tribal employment training and opportunities;
- (f) to perform such duties and exercise such powers as from time to time may be conferred by NPTEC;
- (g) to hold hearings, consistent with Chapter 2-5, and issue subpoenas for the appearance of witnesses and the production of documents with respect to such hearings; and
- (h) to perform such other duties and exercise other powers as set forth in this Title.

§9-1-8 Term of Office

- (a) Except for the initial Commission members, all regular Commission members will serve three-year terms. Of the initial Commission members, NPTEC shall appoint one member for a term of one year, two members for a term of two years, and two members for a term of three years.
- (b) Terms shall expire upon the swearing in of newly appointed members.

§9-1-9 Method of Appointment / Vacancies

- (a) NPTEC shall annually appoint persons to fill any Commission vacancies. For all Commission positions, NPTEC shall choose persons capable and willing to perform the duties of the Commission.
- (b) If a Commission member resigns, dies, becomes incapacitated, or is found guilty of a felony or major crime in any court of law, NPTEC shall declare the Commission position vacant. If any Commission member misses two consecutive Commission meetings without a valid excuse, NPTEC, upon petition of the remaining Commissioners, may declare the position vacant. All vacancies shall be filled as soon as possible in accordance with this Section.
- (c) In the event that the number of unfilled Commission vacancies prevents gathering of a quorum for purposes of conducting business or the Commission, NPTEC shall act as the interim Commission until such time as the filling of the Commission vacancies allows for a quorum.

§9-1-10 Commission Officers

- (a) Within ten days after the appointment of the initial Commission members, there shall be an organizational meeting of the Commission to select a Chair. The Chair shall be elected annually thereafter, immediately following the appointment by NPTEC of the new or reappointed Commission members. The Commission shall assign treasurer and secretary duties amongst its members.

§9-1-11 Commission Meetings

- (a) The Commission shall meet when business demands and requires attention. Regular and special meetings shall be called by the Chair.

(b) Any two Commission members may request the Chair, in writing, to schedule a special meeting of the Commission.

(1) If the Chair fails to schedule a meeting within five days after receipt of a written request, any other two Commission members may call such a meeting.

(c) Meetings shall be held in public places and open to the public unless they involve deliberations concerning decisions on alleged violations of this Title or communications with legal counsel.

(d) The Commission shall keep written minutes of its meetings (other than deliberations concerning decisions on alleged violations of this Title) and written or audio transcripts of its hearings.

(e) Public notice of the Commission meetings shall be given three (3) days in advance of the meeting.

§9-1-12 Quorum and Voting

(a) A minimum of three Commission members is required to establish a quorum and conduct Commission business. Any action taken by the Commission must be approved by a majority vote of those Commission members present at a Commission meeting.

(b) Each Commission member shall be entitled to vote on each matter coming properly before the Commission.

§9-1-13 Compensation of Commission Members

(a) Commission members shall serve at the NPTEC established standard wage rates.

(b) NPTEC shall establish prevailing government rates for mileage, per diem, or other costs, consistent with tribal policy, and shall direct the Finance Manager to approve such expenditures; provided that funds are available within the Commissions budget approved by the Commission and ratified by NPTEC.

§9-1-14 Commission Bylaws

The Commission shall adopt bylaws consistent with this Title and subject to the approval of NPTEC.

§9-1-15 Tribal Employment Rights Office and Director

The Tribal Employment Rights Office of the Nez Perce Tribe is established to administer the employment and contracting preferences under this Title and regulations promulgated by the Commission and such programs as the Office may develop in cooperation with the United States Equal Employment Opportunity Commission to promote, education, training, and employment opportunities for Native Americans within businesses on or near the Nez Perce Reservation, consistent with the laws of the Nez Perce Tribe. The Director shall be in charge of the administration of the Office.

§9-1-16 Notification and Responsibility for Compliance

(a) The Tribal Employment Rights Office shall provide a copy of this Title and any regulations promulgated by the Commission to employers, contracting entities, contractors, and subcontractors operating within the Nez Perce Reservation. The Office shall also provide copies of any amendments to this Title or any regulations promulgated by the Commission to employers and contracting entities operating within the Nez Perce Reservation.

(b) Programs, departments, and enterprises of the Nez Perce Tribe that enter into construction contracts within the Nez Perce Reservation shall, in addition to any notification provided by the Office, provide copies of this Title to any contractor or subcontractor.

(c) It is the obligation of every employer, contracting entity, contractor, and subcontractor operating with the Nez Perce Reservation to comply with the provisions of this Title, and any employer, contracting entity, contractor, or subcontractor found to have violated the provisions of this Title shall be subject to sanctions as provided herein.

(d) Prime contractors have an obligation to inform all subcontractors of the requirements of this Title and shall be jointly and severally liable for violations of this Title by their subcontractors.

§9-1-17 Unions

Before any employer subject to a collective bargaining agreement conducts business within the Reservation, it shall obtain a written agreement (in a form substantially similar to a form agreement developed by the Office), stating that the Union will comply with this Title and any regulations promulgated by the Commission. Such agreements shall be registered with the Office. The Office's participation in a written agreement with a union shall not be deemed to constitute official tribal recognition of a union or tribal endorsement of any recruiting activities conducted by a union.

§9-1-18 Announcement of Compliance in Bids and Employment Advertisements

(a) All bid announcements by contracting entities (for prime contracts or for subcontracts) for work within the Reservation shall include a statement that preference will be given to reasonably priced bids from technically qualified certified Indian businesses.

(b) All employment announcements by employers for employment within the Reservation shall include a statement that the employer complies with the tribal employment preference laws of the Nez Perce Tribe and thereby gives hiring preference to members of the Nez Perce Tribe and other Native Americans who meet the minimum qualification for the position.

(c) Every employer within the Reservation shall post a notice in a prominent place that is regularly frequented by employees, stating that the employer complies with the tribal employment preference laws of the Nez Perce Tribe and thereby gives preference with respect to hiring, training, promotions, and reductions in force to members of the Nez Perce Tribe and other Native Americans who meet the minimum qualifications for a job. The notice shall state the name, address and phone number of the Tribal Employment Rights Office for further information.