NEZ PERCE
TRIBAL EMPLOYMENT RIGHTS OFFICE (TERO)/ TERO YOUTH APPRENTICESHIP PROGRAM (TYAP)

P.O. Box 365
Lapwai, ID 83540
Ph.: (208)843-7363

TERO/TYAP COMPLIANCE PLAN & AGREEMENT

PROJECT INFORMATION

Project Name:	Project No:
Location:	
Project Owner:	
Project Architect:	Phone:
Project Funding Agency:	
Funding Agency Contact:	Phone:

CONTRACTOR INFORMATION

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

Company:		
Address:		Email:
Contact Person:	Title:	
Phone:	Fax:	Shed/Ce11:
Insurance Company:	Policy #:	
Scope of work to be performed:		

PERIOD OF PERFORMANCE

Approximate Start Date:	Ending Date:

CONTRACT AWARD AMOUNT: _____ **TERO/TYAP FEE AMOUNT:** _____

TERO/TYAP FEE: A TERO/TYAP Fee will be accrued at 3.5% of the total contract award amount for contracts totaling $15,000 or more.

Contracts/subcontracts the sum of $15,000 or more are subject to a fee of **3.5%** of the total award amount. Requests for a TERO/TYAP Fee payment schedule must be approved prior to the commencement of work activity on the project.

a. TERO/TYAP FEE ON PROJECTS $350,000 OR LESS: a full payment of the TERO/TYAP Fee is due prior to the beginning of work activity.

b. TERO/TYAP FEE ON PROJECTS OVER $350.000: No less than 1/2 the TERO/TYAP Fee must be paid prior to the commencement of work activity. A written request for a payment schedule for the remaining balance of TERO/TYAP Fee must be submitted with this compliance plan for approval.

c. CHANGE ORDERS: Must be reported to TERO/TYAP immediately upon approval from the funding/contracting agency. Adjustments to the TERO/TYAP Fee amount will be made accordingly.

IDENTIFICATION OF CORE & KEY WORKERS

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 ear continuously.

NAME	POSITION/CLASSIFICATION	Licensed YES	Licensed NO	Hr. Pay Rate	Length with Company
		☐	☐		
		☐	☐		
		☐	☐		
		☐	☐		

Key Employees: An employee who occupies a supervisory position or one who possess 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.
Upon request: All claims to possess a "specialized" skill must be submitted with complete resume of work history and proof of specialized skill (e.g., certificates, licenses, etc.) (SEE pg. 6 ATTAHMENT A SECTION A)

NAME	POSITION/CLASSIFICATION	Licensed YES	Licensed NO	Hr. Pay Rate	Length with Company
		☐	☐		
		☐	☐		
		☐	☐		
		☐	☐		

- Employers who wish to utilize workers that do not meet these definitions must obtain approval through a written request for a "TERO/TYAP Waiver." (SEE PAGE 7 - ATTACHMENT A SECTION K)
- All Supervisory employees listed, will be required to attend the TERO/TYAP Preconstruction Meeting which will be held prior to the beginning of work on the project identified on this compliance plan.

MANPOWER REQUESTS

Provide a preliminary estimate of workers (in addition to core crew and key employees) that your company will be required to complete the work on this project. List classification/skill, number needed, starting date, and pay rate. A TERO/TYAP Dispatch form and follow-up call to TERO/TYAP at least forty-eight (48) hours prior to identified "start date" is required. **TERO/TYAP will provide all laborer positions unless there are no laborers available.**

SKILL/CLASSIFICATION	START DATE	NO.	Hr. PAY RATE	SPECIAL INSTRUCTIONS

EMERGENCY REPLACEMENT WORKERS: TERO/TYAP Waivers must be obtained for workers who do not meet the definition of "CORE CREW/KEY EMPLOYEE." Employers operating during hours when the TERO/TYAP Offices are 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/TYAP will be notified of all such hires immediately upon the next working day and the position will be filled pursuant to the standard TERO/TYAP procedures described in this compliance plan. Emergencies will be determined on a case-by-case basis.

IDENTIFICATION OF SUBCONTRACTORS

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

COMPANY NAME	PHONE	SCOPE OF WORK	ESTIMATED START DATE

ATTACH ADDITIONAL SUBCONTRACTOR INFORMATION ON A SEPARATE SHEET OF PAPER

TERO/TYAP PRECONSTRUCTION MEETING

A TERO/TYAP Preconstruction meeting is required to provide each contractor and their supervisory personnel orientation on the TERO/TYAP requirements and procedures. The Prime/General Contractor shall be responsible for contacting TERO/TYAP to schedule the meeting and for providing notification of meeting date and time to their subcontractors.

MEETING DATE	LOCATION	TIME

- All supervisory personnel, listed by the prime and subcontractors, will be required to attend the TERO/TYAP Preconstruction meeting.

FOR ASSISTANCE CONTACT:

NEZ PERCE TERO/TYAP
PHONE: (208)843-7363
EMAIL:melvinw@nezperce.org
laatisl@nezperce.org

MAIL COMPLETED FORMS TO:

NEZ PERCE TERO/TYAP
P.O. Box 365
Lapwai, ID 83540

CERTIFICATION OF UNDERSTANDING & ACCEPTANCE

On behalf of _____ hereby certify that I have received and understand the Nez Perce Tribal Employment Rights Office/TERO Youth Apprenticeship Program (TERO/TYAP) requirements spelled out as "Attachment A" of this 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:	Email:
Address:	
Phone:	Fax:
Printed Name:	Title:
Signature:	Date:

On behalf of the Nez Perce TERO/TYAP, I hereby attest to the conditions set forth in this TERO/TYAP Compliance Plan and Agreement, and will enforce this agreement through the powers vested in me by the Nez Perce Tribal Executive Committee and the Nez Perce Tribe Title 9.

NOTICE TO PROCEED

The attached TERO/TYAP Compliance Plan and Agreement has been received, reviewed and is fully acceptable. On behalf of the Nez Perce TERO/TYAP, authorization to begin work on the above described project is hereby granted.

Dated this _____ day of_____, 20_____.

Signature:_____, TERO/TYAP Director
Melvin Wheeler

EMPLOYER ACCEPTANCE AGREEMENT

ADOPTED BY

NEZ PERCE TRIBAL EMPLOYMENT RIGHTS OFFICE(TERO)/TERO YOUTH APPRENTICESHIP PROGRAM (TYAP)

DEVELOPED IN COOPERATION WITH THE
U. S. DEPARTMENT OF LABOR
OFFICE OF APPRENTICESHIP

EMPLOYER ACCEPTANCE AGREEMENT

The undersigned employer hereby subscribes to the provisions of the Apprenticeship Standards formulated and registered by the NEZ PERCE TRIBAL EMPLOYMENT RIGHTS OFFICE/TYAP PROGRAM and agree(s) to carry out the intent and purpose of said Standards for General Laborer and accompanying Appendices and to abide by the rules and decisions of the Sponsor established under these Apprenticeship Standards. The undersigned employer further agrees to allow the *NEZ PERCE TRIBAL EMPLOYMENT RIGHTS OFFICE/TYAP PROGRAM (s)* to access the employer's records and Certified Payroll to confirm compliance with the terms of the Apprenticeship Standards and requirements of 29 CFR Part 29, subpart A, and Part 30._____ have been furnished a copy of the Standards and have read and understood them, and request certification to train apprentices under the provisions of these Standards. On-the-job, the apprentice is hereby assured qualified training personnel and adequate supervision during the apprenticeship. The training should follow the approved Work Process Schedule and Related Instruction Outline including the rotation of tasks. The employer further agrees to follow the selection procedures per the approved Standards consistent with the requirements set forth in 29 CFR § 30.10(b). This employer acceptance agreement will remain in effect until canceled voluntarily or revoked by the Sponsor, Employer, or the Registration Agency. Upon request NEZ PERCE TRIBAL EMPLOYMENT RIGHTS OFFICE/TYAP PROGRAM will email a copy of the work schedule for the employer to review.

_____
(Print Name of Employer Representative)

Laatis Lawrence & Melvin Wheeler
(Print Name of Sponsor Representative)

Signed: _____
(On Behalf of Employer)

Signed: _____
(On Behalf of Sponsor)

Date: _____ **Date:** _____

Employer Title: _____

Name of Company: _____

Address: _____

City/State/Zip Code: _____

Phone Number:_____

Fax: _____ Email:_____

NAICS Code (Optional):_____

Employer Identification Number (Optional):_____

cc: Registration Agency

NEZ PERCE TERO/TYAP COMPLIANCE PLAN

ATTACHMENT A

"DESCRIPTION OF TERO/TYAP COMPLIANCE REQUIREMENTS"

FINDINGS

Historically, Nez Perce Tribal members and other Indians have suffered discrimination in employment on and near the Nez Perce Reservation. As a result, Indians were excluded from the employment market and when employed by private sector employers, experienced discrimination; 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; weren't paid equal wages for equal work, to name a few of the consequences. To eliminate discrimination and affirm that tribal members and other Indians on the Nez Perce Reservation will have preference in employment and training opportunities the Nez Perce Tribe established a Title 9.

NEZ PERCE TRIBE TITLE 9

Nez Perce Tribe Title 9 addresses Contracting and Subcontracting and establishes the Tribal Employment Rights Office/TERO Youth Apprenticeship Program and its authority to issue rules, regulations, and guidelines.

I. EMPLOYMENT REQUIREMENTS

The intent of TERO/TYAP is to achieve employment and training opportunities for the local Indian workforce. TERO/TYAP Law is provided for in the Equal Employment Opportunity Commission (EEOC) and other federal laws. Pursuant to the Nez Perce Title 9, Indian Preference will be required on all employment and training opportunities. All Core Crew and Key Employees, who will be utilized on this project, must be identified in this TERO/TYAP Compliance Plan by name and title, with a complete description of duties each will be performing on this project.

A. 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. (Attach complete description of duties each will perform on this project, including operation of equipment, and type/ model of equipment)

B. KEY EMPLOYEE: Is defined as, 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.
Such claim to have invested in the employee's skill level shall require written proof, including resume of work history, certificates, licenses, etc. A complete description of duties for each "key employee" listed must be attached to this TERO/TYAP Compliance Plan. TERO/TYAP will review

the information submitted and make a determination. Employers who wish to utilize workers that do not meet the definition “key employee” on this project must obtain approval by submitting a “TERO/TYAP Waiver” (See Pg. 15 Attachment C).

C. JOB OPPORTUNITIES: All job opportunities shall be considered opportunities. If a contractor has employed an Indian worker on previous projects, or on a continuous basis, they may request that worker by name. The TERO/TYAP will consider the employer's request only if the named individual is currently unemployed and available, has a current skills bank application on file, and is actively signing in at the TERO/TYAP Hiring Hall. It will be recommended that the employer, at some point in time, begin identifying that Indian worker as “key personnel”.

D. HIRING: The employer agrees to utilize the TERO/TYAP to fill their manpower request and must provide a minimum of forty-eight (48) hours’ notice and a job description. The 48 hours will begin on the date a Job Dispatch form is submitted to the TERO/TYAP (excluding weekends). TERO/TYAP will attempt to accommodate the employer in the timeliest manner, matching the specified needs with a TERO/TYAP referral who meets the minimum of qualifications. TERO/TYAP will certify in writing when a qualified. TERO/TYAP referral is not available.

E. TERO/TYAP DISPATCHING: All TERO/TYAP Referrals or “Dispatches” will be made from the Hiring Hall listings of Local Indian Workforce. The hiring hall lists contain names of unemployed Indian workers who have indicated that they are available for work and their skill. Once a name is taken from the Hiring Hall List, the individual's work skills bank application will be reviewed to match the skills requested by the employer. If that worker possesses the minimum threshold of qualifications, then they are referred for the opportunity. All TERO/TYAP Referrals will report to work with a TERO/TYAP Dispatch form in hand, unless a copy has been faxed/mailed/hand-delivered prior to the referral's first day of work. The employer shall contact TERO/TYAP regarding any worker who reports to the job site without a TERO/TYAP Dispatch Form in hand.

F. TERO/TYAP DISPATCH FORM: Provides a space for the employer to give a brief job summary, including company name, address and phone number, position title/classification, start date, start time, rate of pay, anticipated length of employment, who to see, etc. The TERO/TYAP Referral or “dispatch” shall sign the dispatch form to confirm that he/she has understood the requirements of the job and the pay rate offered. All dispatch forms shall require dates and signatures of the employer and a TERO/TYAP Representative. Unsigned forms will be considered invalid. Employers should review the dispatch form and discuss it with the referral/worker his/her first day of work. Any revisions to the work opportunity, identified on the original dispatch form, regarding position/title, duties, rate of pay, etc. must be reported to TERO/TYAP prior to any revisions taking place.

G. LOCAL INDIAN WORKFORCE: Is defined as, an enrolled Indian worker who is a resident of the Nez Perce Reservation or its immediate exterior boundaries.

H. LOCAL PREFERENCE DISPATCHING: Local preference in dispatching shall apply for job opportunities nearest to where the job is located. For example, if the job is located in Lapwai, TERO/TYAP will dispatch job seekers from the Lapwai area. Unless the local workforce, in a particular skill is unavailable, then a search for a worker with that skill will be sought from the next tribal community (i.e. Orofino, Kamiah, etc.)

I. HIRING HALL: The TERO/TYAP Hiring Hall is located at 102 Agency Road, in Lapwai, Idaho. The Hiring Hall maintains sign in sheets contain the names of available, unemployed Indian workers, who live on or near the Nez Perce Reservation. To use the TERO/TYAP Hiring Hall

individuals must submit a copy of their tribal enrollment card, a current skills bank application, and a copy of all licenses and certifications. It shall be the worker's responsibility to sign in at TERO/TYAP once a week, by name, type of skill and to leave a reliable contact phone number. All dispatches will come off the Hiring Hall lists of available workers.

J. TRAINING: All training opportunities or Training Special Provisions (TSP) requirements must be identified prior to the commencement of work activity on this project. Training opportunities shall be filled through the same process described under Section B "Hiring," and through coordination with the TERO/TYAP Employment and Training Program component to locate individual(s) who may already be in an apprenticeship program for which the opportunity will exist.

K. WAIVERS: A TERO/TYAP waiver is an employer's written request for an employee who does not meet the definition of "Core Crew" or "Key Employee" (See TERO/TYAP Waiver Form in Attachment C). Employers are required to identify a work opportunity by submitting a TERO/TYAP Dispatch form, prior to submitting a Waiver Request, as described in "Section C Hiring."

Written request, and supporting documentation (i.e. resume, proof of certifications/licenses, etc.) must be submitted and approved by TERO/TYAP prior to the individual beginning work on the above- described project. Any worker discovered on the job, who does not possess an approved TERO/TYAP Waiver, shall constitute grounds for a "Notice of Violation" and possible sanctions against the employer.

L. LAY OFF: TERO/TYAP referred workers will have priority in all work opportunities. In the event that a lay-off becomes necessary, an Indian worker with skills equal to a waived employee, and in some cases a key employee, will be retained. Once work resumes, the TERO/TYAP referred worker shall have the first opportunity to return to work, in the order in which they were referred to the job. Daily TERO/TYAP Monitoring and a review of weekly certified payroll reports will be made to assure that opportunities are not being eliminated by revising the duties of Core Crew Key or Waived Employees.

M. DISCIPLINARY ACTION: Employers must report any disciplinary action taken against a TERO/TYAP referred worker in written form, providing name, date of incident(s), individual(s) involved, names of witnesses, location of incident, etc. Any disciplinary action taken against an Indian worker will be kept on record at TERO/TYAP.

N. TERMINATION: Employers must discuss termination of an Indian worker with TERO/TYAP prior to final action. In instances of deliberate acts of safety violation, damage to property, or acts of violence the employer shall have the right to dismiss the employee immediately. Failure to provide TERO/TYAP with a notice of impending termination for other matters may result in a violation of this agreement.

O. EMPLOYER POLICIES: The employer must submit a copy of its employee policies prior to the commencement of work activity for TERO/TYAP review and approval. In case of any conflict or dispute between company policy with the TERO/TYAP requirements, Nez Perce Tribal Law will have primacy. An employer may be required to demonstrate that a challenged employment practice is job-related for the position in question and consistent with business necessity.

P. DRUG TESTING: Employment must be offered prior to requiring a "pre-employment" drug test. The TERO/TYAP must be notified and provided a copy of the employer's pre-employment drug testing policies. Documentation must be provided that drug testing is mandatory for all employees

of this employer, and/or as a specification of the project contract. Documentation may be requested indicating that all core crew and key employees have complied with the drug testing requirements prior to the commencement of their work activity on this project.

II. WAGE RATES/FRINGE BENEFITS/PAYROLL REPORTS

A. AVAILABILITY OF WORK HOURS: Indian workers shall receive the same work hour opportunities as the key personnel and waived workers. This includes regular and overtime hours.

B. WAGES: The prime contractor and their subcontractor(s) must submit a table of wage to be paid. TERO/TYAP Referrals must receive pay equal to the employer's key personnel and waived workers performing the same duties/job descriptions.

Each worker must receive a paycheck with an explanation of work week, payroll number, regular and over-time hours, and all deductions taken. General Laborer positions will be paid according to the approved Project Wage Scale or the pay scale equal to that utilized by the company for permanent/annual employees.

C. FRINGE BENEFITS: TERO/TYAP Referrals will receive all benefits in cash unless the worker is a union member. TERO/TYAP Referrals will not be required to join a union to procure or retain employment.

D. IDAHO STATE TAX EXEMPTIONS: For of determining whether an Indian worker is exempt from paying Idaho State Taxes three rules must be met:

1. The worker must present proof of enrollment with a federally recognized Indian tribe, and
2. The work being performed must be performed within the boundaries of the Nez Perce Indian Reservation, and
3. The worker must reside within the boundaries of the Nez Perce Reservation

It is recommended that each employer keep copies of the worker's enrollment card for their company's tax records. Each enrolled Nez Perce tribal member is responsible for having their proof of enrollment with them on the day they report to work. It is the employer's responsibility to keep copies once they are provided this proof.

E. CERTIFIED PAYROLL REPORTS: All Contractors and subcontractors must submit a **weekly** certified payroll report. Certified payroll reports submitted to the contracting agency will not satisfy this requirement. Payroll reports must contain the name, address, social security number, classification/title, hourly rate, over-time rate, number of regular and over-time hours worked that pay period and deductions for each worker the employer has on the project**. Failure to submit certified payroll reports on a weekly/timely basis will constitute grounds for a "violation" and possible sanctions against the employer.**

The Prime/General Contractor will be held responsible for their subcontractors and may face sanctions for failure to meet the requirements of this section of the TERO/TYAP Agreement.

F. PAYROLL DEDUCTIONS: No payroll deductions indirectly or directly will be taken from the full wages earned, other than permissible deductions outlined in the United States Federal Labor and Standards Act (FLSA) and this TERO/TYAP Agreement.

G. PAY DAY SCHEDULES: TERO/TYAP workers will receive their pay on the same day as the employer's core crew and key employees. All employees must receive their paycheck for the previous week's work hours no later than the close of the workday every Thursday or Friday (whichever may be the last working day of the week for the employer).

H. DISTRIBUTION OF PAYROLL: Payroll checks must not be distributed to anyone other than the worker for whom the check is made out to. Unless the worker has given written permission to release their check to a specifically named individual.

I. SHOW UP TIME: Will be determined by TERO/TYAP on a case-by-case basis. Failure to provide adequate notice of the cancellation of a workday may require the employer to pay show up time.

J. UNDERUTILIZED WORKERS: Shall be defined as a worker who is used on an on-call or a part-time basis. To address the need to earn a livable wage, an underutilized worker will receive a minimum of two (2) work hours when called to report to work, or for each time they're required to be at their workstation.

III. CONTRACTING AND SUBCONTRACTING

Indian Preference in Contracting and Subcontracting opportunities on projects located on or near the Nez Perce Reservation is allowed through the authority delegated by or recognized by the United States Congress through federal enactments, rules and regulations promulgated for the benefit of Indians. The General Contractor and Subcontractor shall give preference to Nez Perce TERO/TYAP Certified Indian Business (CIB), all subcontracting opportunities on this project. A list of Nez Perce Certified Indian Businesses is attached or available from TERO/TYAP. TERO/TYAP CIBs are subject to the same terms of this agreement and required to submit a compliance plan and agreement for TERO/TYAP approval prior to the start of work activity.

A. NOTIFICATION OF SUBCONTRACTING OPPORTUNITY: Contractor’s bidding on projects on or near the Nez Perce Reservation must provide notification to TERO/TYAP providing the name of the project, project owner, funding source, location and listing of subcontract opportunities. Once it has been determined that the project is located on the Nez Perce Reservation, contractors must provide copies of “notice of subcontracting opportunity” the contracting entity must show, at a minimum that it notified all Certified Indian businesses (listed in the register maintained by the Office as performing work of the kind sought to be contracted for by the contracting entity) via certified mail, with sufficient time and sufficient information to make a reasonable bid, with proof of mailing. If you do not wish to use the attached form, provide copies of letters notifying CIBs of opportunity and attach U.S. Post Office certified mail receipts. Notification must be made in good faith, providing adequate information about the scope of work opportunity and timeline for response. (SEE ATTACHMENT D NOTICE OF SUBCONTRACTNG OPPORTUNITY)

B. RESPONSE TO NOTICE OF SUBCONTRACTING OPPORTUNITY: Once the timeline for response to the “Notification of Subcontracting Opportunity” has elapsed, provide TERO/TYAP with a written explanation of the results. TERO/TYAP will retain a copy in the project file.

IV. RELIGIOUS ACCOMMODATION

In concurrence with the Native American Indian Religious Freedom Act, the employer agrees to provide reasonable accommodation to Native American Indians who wish to exercise their rights under the Act. TERO/TYAP will assist the employer in identifying “reasonable accommodation.”

V. PROJECT MONITORING

TERO/TYAP will monitor this Compliance Plan and Agreement through on-site inspections. On-site visits will be conducted in a manner which causes minimal interruption to the workforce duties and project. Any possible violation will be documented and reported to the employer for immediate resolution. Continuous violation may result in sanctions against the employer, including monetary sanctions of up to $500 per day per violation, back pay for lost opportunity and as last resort, a stop work order.

VI. COMPLAINTS

A. ON-THE-JOB CONFLICTS: TERO/TYAP Dispatches are advised to make complaints for incidents occurring on the job through the procedures outlined in the employer policies prior to filing a complaint with TERO/TYAP. The employer must provide notice to TERO/TYAP once a complaint is filed and provide information on the action taken to resolve the matter and final disposition of the matter once it is settled.

B. DISCRIMINATION: If a TERO/TYAP Dispatched worker feels they have been discriminated against because of they are Indian and have been treated unfairly by the employer or the employer representatives (e.g. core crew, key personnel) they may file a complaint with TERO/TYAP. The complaint must be employment related.

C. COMPLAINT INVESTIGATION: TERO/TYAP will investigate complaints through on site investigation, by interviewing witnesses, collecting written statements and review of supporting evidence. Employees providing statements to TERO/TYAP will not be penalized for time taken to give a brief statement or for cooperating with the investigation. TERO/TYAP will attempt to make interruption in work activity at the minimum.

VII. Failure to complete this compliance plan thoroughly and submit prior to the commencement of work on the above-described project will be construed as a refusal to comply and may result in a "notice of violation." The Nez Perce TERO/TYAP will make every effort to work cooperatively with the employer named on this agreement. However, when willful disregard for these requirements are evident, the sanctions afforded will be utilized to the fullest extent of the law.

NEZ PERCE TERO/TYAP COMPLIANCE PLAN

ATTACHMENT B

“DISPATCH FORM”

“EMPLOYEE DISPOSITION FORM”

NEZ PERCE TERO/TYAP DISPATCH FORM

FOR OFFICE USE ONLY: Date Submitted:	No. Requested:	☐ Interview Only	☐ Direct Referral

DISPATCH INFORMATION (TO BE COMPLETED BY TERO/TYAP)

Name:		**Social Security #:**	
Address:		**City:**	**State:** **Zip.**
Phone:		**Reliable Message #:**	

EMPLOYER INFORMATION (TO BE COMPLETED BY EMPLOYER)

Company Name:		**Project:**	
Mail Address:		**City:**	**State:** **Zip:**
Phone:	**Fax:**	**Cell/Shed:**	
Email:			

JOB SUMMARY (TO BE COMPLETED BY EMPLOYER)

Classification/Title:		
Hourly Pay Rate:	**Fringe Benefit Rate:**	
Start Date:	**Time:** ☐ **AM** ☐ **PM**	**Job Length:**
Whom to report to:	**Title:**	
Brief job summary:		
Tools/Equipment required:		
Employer will provide the following:		
EMPLOYER SIGNATURE:	**DATE:**	

UNDERSTANDING & ACCEPTANCE (TO BE SIGNED BY DISPATCHED WORKER)

I have reviewed and understand that I am being dispatched to the above-named company for the stated job classification/title, at no less than the hourly rate of pay stated. I understand that TERO/TYAP does not issue payroll for the above-named company, and questions regarding pay, pay days or any discrepancy of pay related matters, I must first attempt to resolve the matter with my employer. If issues cannot be resolved TERO/TYAP will intervene upon receipt of written complaint. I further understand that it is my responsibility to carry proper identification with me when I report to work for employer tax purposes, and proof of citizenship. I also understand that it is not TERO/TYAP's responsibility to provide my proof of enrollment, or any other identification required.

The employer is required to deduct Idaho State Taxes unless the following requirements apply to me: l.) I am an enrolled member of a federally recognized Indian Tribe; 2.) I am working and reside on the Nez Perce Reservation; 3.) I am responsible for providing this proof.

I further understand that I may be required to submit to pre-employment and random drug testing and hereby authorize my employer to release information to TERO/TYAP regarding the results, should these requirements result in my exclusion for this job opportunity.

☐ **I HEREBY ACCEPT THIS JOB DISPATCH**	☐ **I DECLNE THIS DISPATCH**
DISPATCH SIGNATURE:	**DATE:**
TERO/TYAP OFFICIAL:	**DATE:**

MAIL OR FAX COMPLETED FORMS TO: TERO/TYAP, P.O. Box 365. Lapwai. ID 83540 or FAX: (208) 843-7365

The Nez Perce Tribal Executive Committee has authorized the planning and implementation of the Child Support Enforcement Program (CSEP) under the Nez Perce Tribal Court.

The TERO/TYAP will send a copy of your Dispatch to CSEP regarding Child Support. _____

(Signature acknowledging that you have read the information regarding Child Support.)

FINAL DISPOSITION OF TERO/TYAP REFERRED & WAIVED EMPLOYEES

PROJECT: _____

EMPLOYER NAME: _____

EMPLOYEE NAME: _____ JOB/TITLE/CLASS: _____

(Please check one or more)

TODAY'S DATE:	JOB START DATE:
☐ INTERVIEWED ☐ HIRED ☐ Full-time ☐ Part-Time ☐ On Call ☐ Subject to recall ☐ NOT HIRED ☐ JOB COMPLETED Last day worked: ____/____/____ ☐ TERMINATED Date of termination: ____/____/____ Reason for termination: ☐ Safety Violation ☐ Work Ethics ☐ No call/No show ☐ Other	
Briefly explain:	
Would you rehire this employee? : ☐ YES ☐ NO ☐ NOT SURE	
RATE THIS EMPLOYEE, ON A SCALE OF 1-10, ON THE FOLLOWING:	
Attendance	
Knowledge of skills required for the job/classification for which they were referred	
Knowledge of proper use of tools or equipment required for this position	
Used time productively	
Ability to work cooperatively with others	
Attitude	
COMMENTS (required) :	

AUTHORIZED EMPLOYER REPRESENTATIVE

I understand that the information provided above will be kept in the strictest of confidentiality, and is to be used to assist TERO/TYAP in assessing the level of skill and training needs of TERO/TYAP referred workers.
Employer Representative: Date:

PLEASE RETURN TO: Nez Perce TERO/TYAP
P.O. Box 365
Lapwai, ID 83540
Ph: (208)843-7363

DATE RECEIVED: ____/____/____ BY: _____
Nez Perce TERO/TYAP Representative

NEZ PERCE TERO/TYAP COMPLIANCE PLAN

ATTACHMENT C

“WAIVER FORM”

NEZ PERCE TERO/TYAP WAIVER REQUEST FORM

FOR OFFICE USE ONLY	DATE RECEIVED:	BY:

Project:		
Employer:		
Name & Title of Person making request:		
Address:		
Phone:	**Fax:**	**Cell/Shed:**

INFORMATION RE: WAIVED EMPLOYEE

Name:	**Social Security #:**
Address:	
Phone:	**Position to be waived:**
Licenses or Certificates (Provide Copies):	

This waiver request is being submitted because:

☐ This is a specialized skill which requires licensing or certification for which I have invested time and finances into the training, certification, or licensing of the individual to be waived: (Attach supporting documentation).

☐ This opportunity was identified, prior to making this request and TERO/TYAP did not have a referral who met the qualifications required and advised me to file a waiver request.

☐ Other: _____

_____ Date:_____

Authorized Employer Signature

☐ APPROVED ☐ DISAPPROVED EFFECTIVE DATES: ____/____/____ TO ____/____/____

_____ Date: _____

Authorized TERO/TYAP Signature

* NOTE: A TERO/TYAP DISPATCH FORM MUST BE SUBMITTED TO TERO/TYAP PRIOR TO MAKING A WAIVER REQUEST

NEZ PERCE TERO/TYAP COMPLIANCE PLAN

ATTACHMENT D

“NOTICE OF SUBCONTRACTING OPPORTUNITY FORM”

DATE: _____/_____/_____

NOTICE OF SUBCONTRACTING OPPORTUNITY

PROJECT INFORMATION

Project Name:	Project No.:
Location:	
Project Owner:	
Project Funding Source:	

CONTRACTOR NFORMATION

Name:		
Address:		
Contact:	Title:	
Phone:	Fax:	Email:

This form is a request for bids on the above-described project, located on the Nez Perce Indian Reservation. Our company was referred to your company by the Nez Perce Tribal Employment Rights Office (TERO/TYAP), and we look forward to receiving a bid. If you would take a moment and fill out the following item(s), it would assist this company in fulfilling its obligation to provide subcontracting opportunities for Nez Perce TERO/TYAP Certified Indian Businesses.

Bid opening date is: _____/_____/_____ and this company will welcome bids up until _____/_____/_____

Time: _____ ☐ AM ☐ PM

Thank you for your time and response.

Please note the division (i.e., framing, drywall, trucking, site prep, etc.) that your company would be interested in bidding on:

AUTHORIZED SIGNATURE FOR PRIME CONTRACTOR:

RESPONSE FROM TERO/TYAP CERTIFIED INDIAN BUSINESS

Upon notification of this opportunity, our company requested, received or were given the opportunity to review the description of work to be bid on:

☐ YES ☐ NO If yes, date received: _____/_____/_____

☐ Our company has DECLINED the opportunity to bid on the above-named division/project

☐ Our company BID and were given the opportunity to negotiate for the above division

COMMENTS:

TERO/TYAP CERTIFIED INDIAN BUSINESS INFORMATION

Company Name:		CIB #:
Owner Name/Contact:	Title:	
Address:		
Insurance/Bonding Company:		
Phone:	Fax:	Cell/Email:

_____ Date: _____/_____/_____

TERO/TYAP CERTIFIED INDIAN BUSINESS OWNER

cc: ☐ Nez Perce TERO/TYAP ☐ U.S. Postal ☐ Fax ☐ Hand Delivered ☐ Other

Date Sent/Delivered to TERO/TYAP: _____/_____/_____

NEZ PERCE TERO/TYAP COMPLIANCE PLAN

ATTACHMENT D

“CERTIFIED INDIAN BUSINESS LIST”

NEZ PERCE TRIBE
TERO/TYAP
Certified Indian Business List

4J Electric Inc.

520 28th St N
Lewiston, ID 83501
Website: kyle@4jelectric.com
CIB No.: 382

Owner: Kyle Johnson
Enrollment: Cherokee
Phone: (208) 746-5573 **Fax:** (208) 746-2629
Certification Date: 08/13/2025 - 08/13/2026

Full service electrical contractor that has been in business in North Central Idaho for over 30 years. 4J provides residential, commercial, and industrial electrical work including new construction and service work. 4j is proficient in ground up electrical that includes underground excavation for complete electrical systems, new services, generators, and site lighting. Also specialize in low voltage cabling and fire alarm systems, and provides service work that includes lighting retrofits and troubleshooting.

Alden Plumbing LLC, dba Alden Mechanical LLC

P.O. Box 538
Walla Walla, WA 99362
Email: office@aldenplumbing.net
CIB No.: 378

Owner: *Kristina G. Alden*
Enrollment: Confederated Tribes of Siletz
Phone: (503) 652-9090
Certification Date: 10/06/2022 - 10/06/2025

Alden Mechanical provides plumbing, heating, ventilation, and air conditioning for residential and commercial construction projects consisting of installing & repairing domestic plumbing, gas and med gas piping, boilers and hydronics, utility and fire lines, build/design/produce sheet metal products for ventilation, Alden Mechanical is also a licensed General Contractor and has staff with a broad range of construction experience who can provide other construction trade work such as building remodel & repair, or hire and supervise subcontractors to do anything not provided in-house.

Black Bison Enterprise

P.O. Box 424
Lapwai, ID 83540
Email: blackbisonenterprise@gmail.com
CIB No.: 383

Owner: *Olivia & Giovanni Villavicencio*
Enrollment: Nez Perce Tribe
Phone: (208) 790-4832
Certification Date: 06/09/2023 - 06/09/2026

General contracting, remodels, new construction, demo work, site development, site work, electrical, plumbing, HVAC, flooring, painting, concrete, cabinets, and countertops.

Boss Heating and Air Conditioning

3538 Hatwai Rd.
Lewiston, ID 83501
Email: Oscar@bossheatingandac.com
CIB No.: 317

Owner: *Oscar Guzman Jr.*
Enrollment: Nez Perce Tribe
Phone: (208) 743-9484 **Fax:** (208) 743-9629
Certification Date: 11/21/2024 - 11/21/2027

Service and installing of heating, ventilation, and air conditioning equipment.

Cooper Zietz Engineers, Inc. dba Akana

6400 SE Lake Rd., Suite 270
Portland, OR 97222
Website: www.akana.us
CIB No.: 380

Owner: *Herbert Fricke*
Enrollment: Three Affiliated Tribes
Phone: (503) 652-9090
Certification Date: 10/28/2022 - 10/28/2025

Akana is a Native American owned small business providing engineering, planning, and construction services to the public, tribal, and private sectors throughout the Northwest. Headquartered in Portland, our current staff compromises 100+ civil, structural, environmental, engineers, architects, planners, environmental scientists, and construction specialists with the in-house capability to provide comprehensive services throughout a project life cycle, from concept through construction and commissioning. Our services include planning, designing, engineering and managing.

D-3 Native Wood Works

P.O. Box 70
Lapwai, ID 83540
Email: dreadfulwaterb2@gmail.com
CIB No.: 361

Owner: *Bradley C. Dreadfulwater*
Enrollment: Cherokee
Phone: (208) 507-0348
Certification Date: 03/06/2024 - 03/06/2027

Tree planting, Herbicide Application, Seedlng Protection, Machine Mastication, Tree Thinning, Pruning, Fire Line Construction, Deer Repellant Application, Fence Construction, Stream Restoration, Brush Removal, Small Diameter Logging, Hand Piling, Supplying Fence Materials, and Forestry Management.

Drew Terry Realty LLC

P.O. Box 124
Lapwai, ID 83540
Website: www.drewterryrealty.com
CIB No.: 379

Owner: *Drew Terry*
Enrollment: Nez Perce Tribe
Phone: (208) 791-7477
Certification Date: 10/06/2022 - 10/06/2025

Offers real estate services, including residential or commercial, both buying and selling agent services. Licensed and up to date with all required training for the State of Idaho and Washington.

Dynamic Mobile Mechanic LLC

121 Bull Pine Drive
Culdesac, ID 83524
Email: haileywilson1105@gmail.com
CIB No.: 153

Owner: *Hailey Wilson*
Enrollment: Nez Perce Tribe
Phone: (480) 258-7020
Certification Date: 07/02/2025 - 07/02/2026

In partnership with my husband Broderick "Beau" Etsitty (Navajo, 49% owner), we run a mobile mechanic business. Beau has more than 20 years of experience in auto and diesel work and repairs. We operate a mobile service to help individuals diagnose and repair their automotive issues including providing routine maintenance and vehicle service.

Falcon Construction

P.O. Box 92
Lapwai, ID 83540
Email: montie.phillips@yahoo.com
CIB No.: 313

Owner: *B. Nicole George*
Enrollment: Nez Perce Tribe
Phone: (208) 791-3882
Certification Date: 10/02/2024 - 10/02/2027

General construction that self performs all phases of construction in house, as well as GCCM projects with local & federal entities. Falcon is also a design build firm for all phases of new & remodel projects.

Hipeexnu Kii U Nuun Wisiix Inc.

P.O. Box 415
Lapwai, ID 83540
Email: www.hipeexnu.org
CIB No.: 370

Owner: *Bessie Walker*
Enrollment: Nez Perce Tribe
Phone: (208) 816-6552
Certification Date: 02/07/2024 - 02/07/2027

Non-Profit 501 c3.
Mission: To preserve & revitalize the Nez Perce Language & Cultural Arts of Life. Primarily: Nez Perce Youth. Currently, we volunteer teach in the Little Roots & Tiny Tots Learning Centers in Lapwai Idaho. Also, this year we will 1/2 one-to-one teach for Youth Learners ages 4th-8th grade.

Infinity Recovery LLC

9486 Owl Ct
San Diego, CA 92122
Email: https://infinityrecoverygroup.com
CIB No.: 152

Owner: *Cody Ned Ridley*
Enrollment: Fallon Paiute Shoshone
Phone: (858) 967-4140
Certification Date: 07/02/2025 - 07/02/2026

Infinity Recovery is San Diego's only Native American-owned detox center, offering holistic, evidence-based care for substance use and mental health disorders. We feature a dedicated Native American Track that blends traditional healing with clinical treatment. Our services include medically supervised detox, residential treatment, dual diagnosis care, medication-assisted treatment (MAT), and specialized programs for couples, veterans, and active-duty military, all focused on lasting recovery.

Kreger and Associates

100 Tamal Plz STE 106
Corte Madera, CA 94925
Email: www. Eastwooddev.com
CIB No.: 385

Owner: *Lucas Mathew Eastwood*
Enrollment: CTUIR
Phone: (415) 341-0473
Certification Date: 08/14/2024 - 08/14/2025

General contractor, real estate developer, designer, consulting, design, architecture, and investment services.

McFarland Enterprises

25028 Cottonwood Creek Rd
Culdesac, ID 83524
Email: michaelmcfarland566@gmail.com
CIB No.: 175

Owner: *Micheal D. McFarland*
Enrollment: Nez Perce Tribe
Phone: (208) 843-2353 / (208) 816-2657
Certification Date: 08/14/2023 - 08/14/2026

Fencing, Reforestation Projects: Vexar Seedling Protection, Tree Planting, Pruning, and Thinning, Grass Seeding, Trail Construction & Maintenance, Lawn Services, etc. Hauling and General Labor.

RWC LLC of Idaho (Rodger Warner Construction)

1187 Cedar Ridge Rd
Kendrick, ID 83537
Email: rwc-llc@live.com
CIB No.: 366

Owner: *Rodger Warner*
Enrollment: Standing Rock Sioux
Phone: (208) 289-8361
Certification Date: 01/04/2025 - 01/04/2026

General construction, road construction, excavation, site building, underground utilities, concrete forming and pouring, culverts, septic systems, steel & wood constructed buildings, building & site demolition & development.

T Dubb Contracting LLC

P.O. Box 1348
Kamiah, ID 83536
Email: tdubbcontracting@gmail.com
CIB No.: 151

Owner: *Tyler Williamson*
Enrollment: Nez Perce Tribe
Phone: (208) 935-5268
Certification Date: 01/04/2025 - 01/04/2028

Forestry work, logging, road building, maintenance, mastication, brush piling, burning.

Thurlow Construction and Remodels

P.O. Box 94
Lapwai, ID 83540
Email: thurlowconstruction@gmail.com
CIB No.: 245

Owner: *Taylor Thurlow*
Enrollment: Choctaw
Phone: (208) 791-4492
Certification Date: 01/08/2025 - 01/08/2026

17 years of construction experience: floor installing, tile setting, custom showers, home remodels deck building, roofing installation, custom countertops. General handyman services.

Terry Construction

P.O. Box 124
Lapwai, ID 83540
Email: terryconstruction1855@gmail.com
CIB No.: 376

Owner: *Zachary Terry*
Enrollment: Nez Perce Tribe
Phone: (208) 791-9868
Certification Date: 01/08/2025 - 01/08/2028

General contracting indoor and outdoor residential, commercial renovation including, but not limited to kitchens, bathrooms, floor, paint, drywall repair, roof repair, water damage, etc. We provide inspiring innovative construction solutions. Our expertise is tackling challenging requirements, meeting the unique needs of our clients, and finding the best possible solution.

White Shield, Inc.

320 N 20th Ave
Pasco, WA 99301
Email: sfricke@whiteshield.com
CIB No.: 240

Owner: *Stuart Fricke*
Enrollment: Three Affiliated Tribes
Phone: (509) 547-0100
Certification Date: 03/13/2023 - 03/13/2026

Topographic, GPS Control, GIS Mapping, CADD, Geographical Surveys, Machine Control Modeling, 3D Laser Scanning, Environmental Site Assessments, Remedial Investigation, Feasibility Studies, Environmental Health & Safety, Environmental GIS Mapping, Environmental Compliance & Natural Resources Management Services.

Whitefoot Cutting & Coring LLC

28814 Goldner Rd
Lapwai, ID 83540
Email: N/A
CIB No.: 377

Owner: *Danielle Whitefoot*
Enrollment: Nez Perce Tribe
Phone: (208) 553-2222
Certification Date: 09/08/2022 - 09/08/2025

Experience with septic systems and sewer. Also, site preps including grading, grade checking, simple plumbing experience, demo and removal/cleanup.

Wiley Construction LLC

24473 Grouse Rd
Lapwai, ID 83540
Email: Turtle2298@icloud.com
CIB No.: 381

Owner: *Darryl & Coty Reuben*
Enrollment: Nez Perce Tribe
Phone: (208) 449-3091 / (509) 703-2513
Certification Date: 03/08/2023 - 03/08/2026

General construction. Home remodel, Repair, Build, Roofing, Plumbing, Electrical, Site Prep.

Womer & Associates, Inc.

221 N. Wall St., Suite 600
Spokane, WA 99201
Website: www.wwomer.com
CIB No.: 250

Owner: Rick Mathews
Enrollment: Spokane Tribe
Phone: (509) 534-4884 **Fax:** (509) 534-4943
Certification Date: 08/13/2025 - 08/13/2028

Architecture, Engineering, Planning.