

*A Brief Historical Review of the
Evolution & Advancement of
CTER & TERO Programs*



An Insightful Indian Foretelling
“Running in the White Man’s Shoes”

“ I will follow the white man's trail. I will make him my friend, but I will not bend my back to his burdens.

I will be cunning as a coyote. I will ask him to help me understand his ways, then I will prepare the way for my children, and their children.

The Great Spirit has shown me - a day will come when they will outrun the white man in his own shoes.”

Many Horses –Chief of the Oglala Sioux

The Journey Began

- Warm Springs: The Spark Ignited
- The first twelve TERO's started(aka)The Dirty Dozen
- TERPC created (Tribal employment Rights Planning committee.) BOD Established & Secured seed funding for start-up
- Director Hired To Manage TERPC & take organization forward
- TERPC Reorganized To CTER
- ANA Funding secured
- Staff Hired & developed a plan of action
- Formalized our Identity, Purpose, Goals & Objectives

Who Are we?
**THE COUNCIL FOR TRIBAL
EMPLOYMENT RIGHTS**

The Council for Tribal Employment Rights (CTER) is a community based Indian owned and operated organization that is comprised of and represents the interests of over 300 Tribal and Alaska Native Village Governments that are covered by employment rights ordinances.

Who Are we?

WHAT IS THE PURPOSE OF THE TERO PROGRAM?

- Purpose: To ensure Indian people receive their rightful share of jobs & other economic opportunities and to work to remove barriers to employment.
- To administer and enforce the TERO Ordinance.

WHO ARE WE?

THE COUNCIL FOR TRIBAL EMPLOYMENT RIGHTS

- National Non-Profit Indian Organization
- Inspired by: Ken White, Navajo Warrior
- Founded in 1977 Organized as TERPC evolved into CTER
- Carl Shildt 1st TERPC Chair, Vice Chair J. Navarro
- Co-Founders: Conrad 1st President/ CEO,
- John Navarro, 1st VP, & Former President/CEO,
- Dan Press, Founding Legal Consul

WHO ARE WE?
**THE COUNCIL FOR TRIBAL
EMPLOYMENT RIGHTS (Continued)**

- Governed by Board of Directors
- 300 Tribal/Alaska Village Governments covered by TERO Ordinances/Resolutions (more)
- Current President: Lee Adolph-Office: Spokane, WA
- Services: Training, T/A Consultation, Advocacy, Reference Materials, Legal Support, Collaborative Partnering, etc.

WHY WERE WE CREATED?

- To address unemployment, poverty, etc.
- To eliminate discriminatory and other barriers to jobs and business opportunities.
- To ensure that tribal people receive rightful share of jobs & other economic opportunities.
- Because Jobs are a vital resource, the failure of federal Indian policy & a history of broken promises.

WHY WERE WE CREATED?

IMPACT TRIBAL OF UNEMPLOYMENT

- Deplorable Poverty
- Staggering Unemployment-25-65% Natl. Average
- Glass Ceiling Under-Employment
- Lowest median income -1/5 Natl. Average
- Widespread Health Issues-Diabetes, etc.
- 60+ H/S Dropout
- Poorest Housing (3rd World Conditions)
- Chronic Alcoholism/Drugs
- Hopelessness, Despair, Depression
- Highest Suicide Rate in Nation.

WHY WERE WE CREATED?

HISTORICAL BARRIERS TO TRIBAL EMPLOYMENT

- **SOCIAL:** Educational, Skills Deficiency, Discrimination, Alcohol/Drugs, etc.
- **ENVIROMENTAL:** Isolation, Weather, Distances
- **ECONOMIC:** Poverty, Dependency, Transportation:
- **HEALTH:** Diabetes, Blood Pressure, Weight, etc.

WHY WERE WE CREATED?

HISTORICAL BARRIERS TO TRIBAL EMPLOYMENT

- **CULTURAL:** Cultural/Priorities Differences. Cultural Discrimination, Religion, Dress, Introvertedness, etc.
- **INTERNAL RESISTANCE:** Tribal Programs, Attorneys, Enterprises, etc.
- **MYOPIC TRIBAL THINKING-** Failure of leaders to see and act on what had to be done to overcome barriers.

WHY WERE WE CREATED? **CHALLENGES & RESISTANCE FACED**

- FEDERAL AGENCIES, BIA, IHS, HUD, FHWA, etc.
- CONTRACTORS - UNIONS
- INCONSISTENT Federal Regulations, Policies, Practices
- STATES: CALTRANS, Alaska (State Constitutions)
- TRIBES THEMSELVES- Mind Sets, Lip Service-Internal Resistance,
- TRIBAL ENTERPRISES Mind Sets, Lip Service, Profit v People, Cost v Investment
- TRIBAL ATTORNEYS
- UNQUALIFIED TRIBAL WORKFORCE
- NO JOBS

TRIBAL LESSON LEARNED:

Solutions to tribal dilemmas will never be solved from the outside. Real solutions can only come from inside by the tribes themselves .



The TERO Concept & Program was born

**A Tribal Self Help, Self Determination, Action
Oriented, Sovereignty Based Strategy**

**We began to how to “Run in the
White Man’s Shoes”**



TRIBAL SOVEREIGN POWERS/RIGHTS

- Tribal Sovereignty-Authority to Regulate Employment Practices on Reservation
- Unique Tribal Employment Entitlements Rights to Preference
- Tribal Power to Enact Strongest Employment Law in Nation
- Currently Imposed by 300 Tribes / Alaska Village Governments

THE TERO ORDINANCE

1st We Passed TERO/ TWPA Ordinances

- Sets Clear IP Conditions / Requirements
- Establishes Authority-TERO Officer/Commission
- Assigns Responsibilities
- Delineates Sanctions for violations
- Provides Due Process
- Establishes Tax/Fee
- ***Authorizes Strategic Alliances & Partnering

THE TERO OFFICER

“Revival of Indian Warrior Tradition”



The Non-Indian posture toward the social and economic circumstances in Indian country was:

- The social and economic dilemma of Indian people is their own fault. A common suggestion they offered as a solution was “Why don’t you people pick yourselves up by your boot-straps like we do.”
- We did as they suggested...we started TERO

THE TERO CONCEPT

“Running in the White Man’s Shoes”

History’s Reality Lesson

Passing Laws and Having Economic Resources are not enough...the key source to a successful

TERO has always been and will be an action orientated, truly committed and “Cunning as a Coyote”

TERO OFFICER



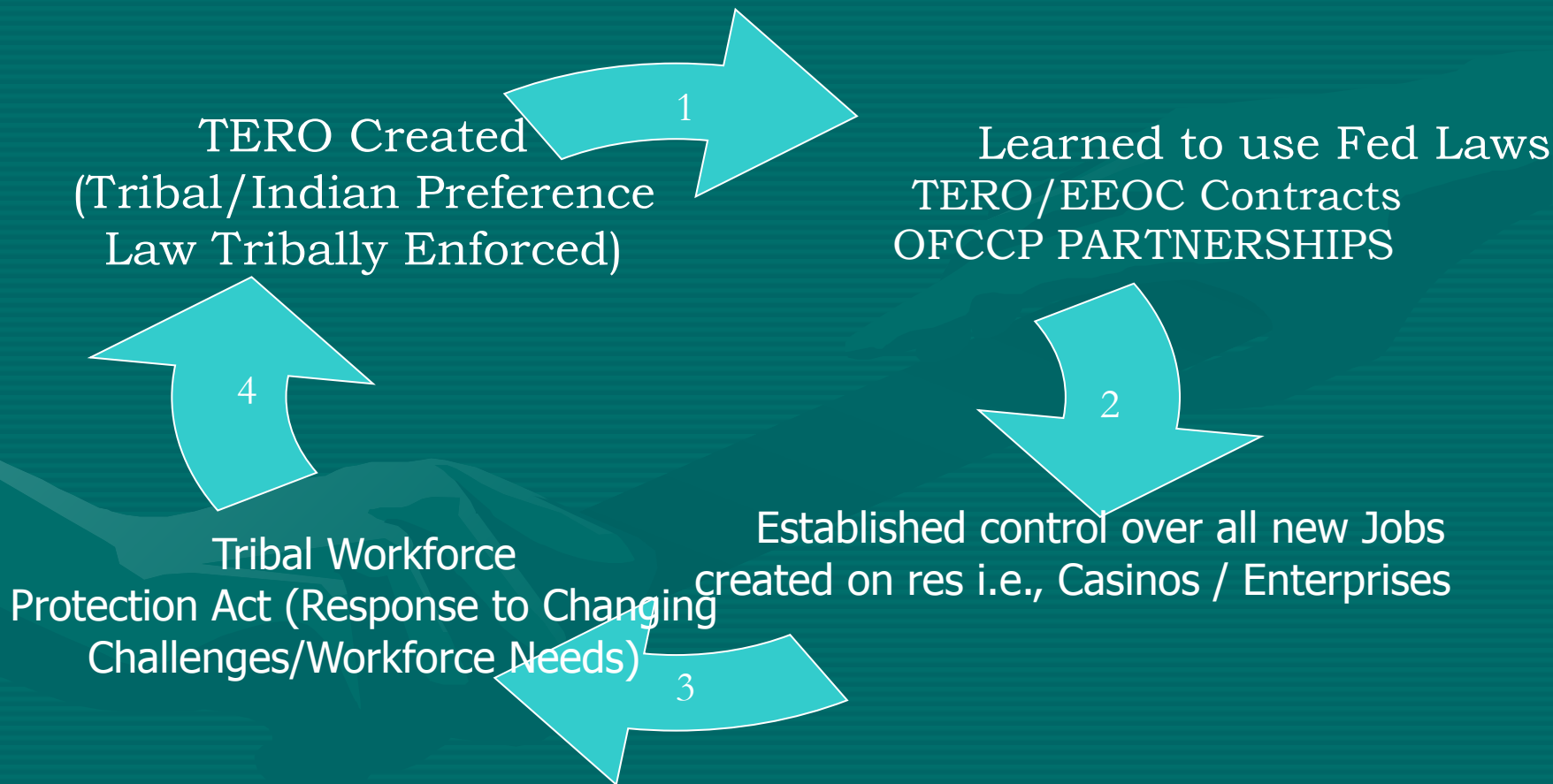
The Non-Indian Cry Became:

- You can't make us do Indian Preference
- We won't let the tribes have this power (BIA)
- Enforcing Indian employment rights is our job feds i.e., BIA, IHS, HUD, Other fed agencies
- TERO is unfair and illegal
- Indian People are not qualified, they don't have skills, they drink to much, they work on Indian time, etc.
- Tribes have no jurisdiction over us. This is America!

Four Major Stages In The Historical Evolution of TERO



Four Major Stages In The Historical Evolution of TERO



The TERO Concept

“Running in the White Man’s Shoes”

Learned The Essential Tools

- Legal Tools (Tribal, Federal, State Laws & Regs)
- Administrative Structure: Management/Enforcement Tools (process/procedures, monitoring controls, etc.)
- Economic Tools (Power of Tribal Economies-Resources)
- Political Tools (Power of Money)
- Synergistic Partnering Tools (Power of economics and mutually beneficial relationships numbers)

THE TERO CONCEPT

“Running in the White Man’s Shoes”

Key Point.

TRIBAL EMPLOYMENT RIGHTS LAW

- **Tribal Sovereignty: Authority to Regulate Employment Practices on Reservation**
- **Unique Tribal Employment Rights in Federal Laws, Regulations and Federally Funded contracts.**
- **Tribal Power to Enact Strongest Employment Law in Nation That Require Indian Preference and enforced by the tribe.**

The TERO Concept

“Running in the White Man’s Shoes” Legal Tools

- Tribal Law (TERO Ordinance)
- Federal Laws which require or permit IP
- General Employment Law. Title VII, ADA, ADEA, FLSA, etc.
- State Employment Laws
- Contract Law and Lease Agreements

THE TERO CONCEPT

“Running in the White Man’s Shoes”

Legal Tools

- EEOC/TERO Contracts (TERO Federal Authority)
- TERO Compliance Plans
- Tribal Labor Agreements
- Internal Employer IP & EEO Policies
- Federal Affirmative Action Requirements


HOW DOES CTER SERVE TERO PROGRAMS

- The only Indian organization that sole purpose is to promote for Indian preference;
- Is the TERO National Voice & Presence
- Advocates for TERO (Indian Preference) Nationwide
- Provides wide range of Training and T/A services
- Provides nation, legal updates, & Regional Conferences

HOW DOES CTER SERVE TERO PROGRAMS

- Provides model ordinances, compliance plans, etc.
- Conducts on-site TERO training & special presentation services
- Provides Legal Consultation
- Negotiates Federal/other specialized TERO training
- Assists in Creating and fostering Partnering, Strategic Alliances, Networking Relations

CTER MILESTONE ACHIEVEMENTS

- Helped develop virtually all TERO's nationwide
 - Helped all tribes take control of the employer employment practices on res.
 - Secured a TERO/Preference policy from all agencies letting contracts reservation
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CTER MILESTONE ACHIEVEMENTS

- Played vital role in resolving CALTRANS/AKDOT TERO Issue
- BIA secured TERO policy & Training
- IHA negotiated TERO enforcement Alaska Hospital
- HUD were involved in suit to recognize TERO – Result Clear Preference policy

CTER MILESTONE ACHIEVEMENTS

- OFCCP secured TERO Training, MOU
- EEOC Secured TERO funding, Annual Training, T/A
- WAGE & HOUR secured (FLSA) Training /TERO manual
- OSHA
- FHWA (16 States) +Increasing Indian Employment In FHWA Construction)
- USDA
- Secured Union Tribal labor agreements

CTER MILESTONE ACHIEVEMENTS

- WAGE & HOUR secured (FLSA) Training /TERO manual
- OSHA
- FHWA (16 States) +Increasing Indian Employment In FHWA Construction)
- USDA
- Established formal MOU's with:
 - NCIA
 - NIGA
 - NIBA
 - NARF
 - UNIONS
 - STATE DOT'S

TRAINING & OTHER SERVICES CTER PROVIDES

- Basic / Advance TERO (TERO Start-up & administration)
- TERO Commission Training
- Charge Investigation Training
- Federal employment Law (General)
- Federal Indian Preference Law
- Workforce Protection Law
- Sexual Harassment

TRAINING & OTHER SERVICES CTER PROVIDES

- Cultural Synergy-Beyond Diversity
- Workforce Utilization
- Workforce Empowerment & Motivation
- TERO Teamwork
- Synergistic Partnering –Creating Strategic Alliances
- Ordinance Development/Ordinance Reviews
- Tribal Council Presentations
- Technical Assistance & Consultation (All TERO related matters)

Running in the Non-Indian's Shoes

As I listened to this man talk on the radio about TERO, I realized that they were fighting for many of the same things we at AIM were fighting for, but they were doing it in a different way.

We were fighting for sovereignty and against a system that oppressed Indian people using aggressive action i.e., taking over buildings, protesting etc. As a result even Tribes and Indian organizations closed their ears to us. But TEROs were using the system in a creative way to exercise sovereignty to accomplish their goals and they were being welcomed by the very tribes & organizations that rejected us.

*Russell Means
Indian Activist, Tribal Warrior*

THE TERO OFFICER

“Running in the White Man’s Shoes”

IN CLOSING:

Perhaps TERO Warrior’s are not yet out running the white man to economic opportunity, but clearly they are now running right along side him and we are using his own shoes to do it.

Finally, when all is said and done:

All Tribes and TERO/Warrior’s ask of those that come to reservations seeking economic opportunities is that you:

Respect our People

Respect our Land

Respect our Laws

Respect our Rights

END

