

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Tribal Employment Rights Regulations Section 1.5)**

RESOLUTION NO. 15-336

1 **WHEREAS,** all members of the Tohono O'odham Nation "shall be given equal opportunity to
2 participate in the economic resources and activities of the Tohono O'odham
3 Nation" and the Tohono O'odham Legislative Council is vested with the authority
4 to enact ordinances "to promote, protect and provide for public health, peace,
5 morals, education and general welfare of the Tohono O'odham Nation and its
6 members" (Constitution, Article III, Section 3, and Article VI, Section 1(c)(2)); and

7 **WHEREAS,** the Nation's Tribal Employment Rights ("TERO") law, 13 Tohono O'odham Code
8 Chapter 1, provides for the "establishment of a tribal employment rights office
9 in order to use and enforce the aforementioned laws and rights, in order to
10 increase employment of Indians and to eradicate employment discrimination
11 within the exterior boundaries of the Tohono O'odham Nation."; and

12 **WHEREAS,** while the TERO law also vests a TERO Commission with "full power, jurisdiction
13 and authority to . . . adopt, amend and rescind rules, regulations and guidelines
14 reasonably necessary to carry out the provisions of this Chapter," the
15 Commission currently lacks sufficient members to form a quorum or conduct
16 business (13 T.O.C. Chapter 1, Section 1107); and

17 **WHEREAS,** it is in the Nation's best interest to amend Section 1.5 of the TERO Regulations to
18 authorize the TERO Director to waive compliance plan requirements for a
19 limited class of covered employers, contactors or sub-contractors; and

20 **WHEREAS,** the Human Resources Development Committee recommends that the
21 Legislative Council amend Section 1.5 of the TERO Regulations in accordance
22 with this resolution.

23 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that,
24 notwithstanding any contrary provisions of 13 Tohono O'odham Code Chapter 1,
25 TERO Regulations Section 1.5 is amended to add Section 1.5(c) as follows:

26 **(c) Exemptions**

27 The TERO Director is authorized to grant exemptions from some or all of the
28 requirements of this Section 1.5 if the Director makes a written determination
29 that:

TOHONO O'ODHAM LEGISLATIVE COUNCIL




Timothy Joaquin, Legislative Chairman

APPROVED

on the 26 day of August, 2015

DISAPPROVED

at 7:40 o'clock, P.m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 27 day of

August, 2015, at 9:25 o'clock, A.m.



Evonne Wilson, Legislative Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

ACTION: AMENDING TRIBAL EMPLOYMENT RIGHTS REGULATIONS SECTION 1.5

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN BARBARA HAVIER

DATE: AUGUST 21, 2015

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta E. Harvey) (<i>Present</i>)	183.6	X			X
	2. VERNON J. SMITH (Gloria Zazueta)	183.6	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (<i>Absent</i>) (Marlakay K. Henry) (<i>Present</i>)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.5	X			
	2. LORETTA LEWIS ()	132.5	X			
GU VO 250.6	1. GRACE MANUEL (<i>Absent</i>) (Dallas Lewis) (<i>Present</i>)	125.3	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.3	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.9				X
	2. SANDRA ORTEGA ()	102.9				X
PISINEMO 219.9	1. CHESTER ANTONE (Tony Murrietta)	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			X
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Gene Enis)	114.3	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. (Theresa Donahue)	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X		X	
SELLS 513.5	1. ARTHUR WILSON (<i>Absent</i>) (Beverly Rivas) (<i>Present</i>)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.8	X			
	2. MARY LOPEZ ()	115.8	X			
TOTAL		3,021.4	2,815.6	-0-	[01]	205.8 [04]