



CPA No. : _____

Project: _____

Contractor: _____

BISHOP TRIBAL EMPLOYMENT RIGHTS COMMISSION

50 TU SU LANE ■ BISHOP, CA 93514 ■ PHONE 760-873-7893 ■ FAX 760-873-4143

COMPLIANCE PLAN AGREEMENT (CPA)

The Tribal Employment Rights Ordinance (TERO), under Section 13.0, Compliance Plan states:

Every employer or contractor shall be required to submit to the Bishop TERO Manager for its approval a Compliance Plan setting forth how the employer or contractor intends to meet obligations under this Ordinance. **No employer/contractor shall commence work on the Bishop Paiute Reservation (Reservation) until the Compliance Plan is approved by the TERO Manager.**

The employer/contractor further agrees to:

1. With the above restrictions to work on Tribal Trust Land, all contractors and subcontractors must submit their proposed CPA at least 10 working days in advance of their start date to allow for appropriate review and processing of the CPA.
2. Provide **prior** notification to any contractor or subcontractor being considered as a service provider to the employer/contractor of their obligation to comply with the TERO Ordinance and contract with the TERO Office.
3. Provide Workers Compensation Insurance for all direct employees of said employer/contractor and will provide the Commission with a copy of the Certificate of Insurance or proof of insurance upon request.
4. Pay to the Bishop Paiute Tribe Fiscal Office an Employment Administrative Fee as required by the TERO Ordinance. Any fee reduction, waivers or payment method of fees must be approved in advance.
 - All Contractors will need to submit a copy of the contract agreement for the project to determine the 4% TERO fee.
 - All Employers must provide TERO a quarterly report of the gross payroll of employees to determine the 3% TERO fee.
5. Submit any reports requested by the Commission in a timely manner.
6. Submit a report stating any termination being done and reason/s for such termination while on this project. Reports must be submitted within twenty-four (24) hours.
7. If the work changes by adding new employees, this CPA must be amended or a new CPA must be completed prior to any work of new employees on Tribal Trust Land, and this is subject to approval or denial of the new proposed employee based on availability of a Qualified Indian Candidate.
8. All work on Tribal Trust Land for the Bishop Paiute Tribe is subject to Tribal Law, and any disputes are subject to Tribal Court, unless the contract between the Tribal Employer and Contractor states other dispute remedies.

FOR THE COMPLIANCE PLAN AGREEMENT TO BE COMPLETE, THE CONTRACTOR OR SUBCONTRACTOR MUST ATTACH A COPY OF THE APPROVED CONTRACT.

I. GENERAL INFORMATION

A. Name of Business or Contractor: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

Email: _____

B. Name and Title of Authorized Contract Representative: _____

C. Description of work or activity to be conducted on the Reservation:

Proposed date for the work to be begin: _____

D. Operating as: Contractor Subcontractor Employer/Business

1. Name of primary contractor for whom you subcontract: _____

2. Must provide list of Sub-contractors (All sub-contractor will be required to submit a CPA):

E. Union Contractor Yes No If yes, please provide Union number: _____

F. Project/Contract No: _____

II. EMPLOYMENT INFORMATION

A. Specify the number of employees to be used on the job/project, including occupational positions and wage scales:

Number of Employees on this project: _____ (please list below the positions)

POSITION	WAGE SCALE	NATIVE AMERICAN	Y/N	TRIBAL AFFILIATION
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_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

(Use additional sheets as needed)

- B. Pursuant to Section 6.0, subsection 6.7 of the TERO Ordinance, the employer agrees to notify the Commission or its representative for referrals for any employment positions which may occur on this job/project, whether or not such positions are presently included in this Compliance Plan.
 All contractors will be required to contact the TERO Office for recruiting and placement services on all non-key positions. The TERO Office shall be given a minimum of (48) Forty-Eight hours to provide a qualified referral.

TERO Referrals for this project: (To be completed by a TERO Representative)

NAME	POSITION	WAGE	START DATE/ END DATE

III. TEMPORARY TERO EXEMPTION FROM TRIBAL PREFERENCE TIER
 (Please list all your workers that are not Native American)

In accordance with the TERO Ordinance, Section 6.0, Tribal Indian Employment Preference Policy and Procedures, the contractor requests exemption(s) to Tribal Indian Preference Tier, as follows:

Name	Position	Reason (Key Employee or No Natives Available)	Approved Y/N

Note: The Commission reserves the right to revoke any and all exemptions.

Special conditions: _____

IV. EMPLOYMENT ADMINISTRATION FEE

The TERO Ordinance, under Section 17.0, subsections 17.1 and 17.2 states:

Every contractor and sub-contractor conducting business on the Reservation and with a contract of \$1000.00 or more shall pay a one-time Employment Administrative Fee of four percent (4%) of the total amount of the contract per each contract. Said fee shall be paid **prior** to commencing work on the Reservation. However, where good cause is shown the fee may be paid in installments over the length of the contract, if approved by the Commission.

Every employer, other than a contractor or sub-contractor with two (2) or more employees on the Reservation, or with gross sales/income of \$100,000 or more, regardless of source, shall pay a quarterly Employment Administrative Fee of three percent (3%) of the quarterly gross payroll of employees of that employer on the Reservation.

The Total Contract Amount: \$ _____
(If an Employer or Business then the amount will be determined by the quarterly gross payroll of employees)

Total Employment Administrative Fee (TERO fee): \$ _____
(3% for Employers/Businesses and 4% for Contractors, refer to Section IV)

Employer/Business quarterly TERO fee is due by the 5th of the following month.

Requesting a TERO Fee Waiver/Reduction: Yes No If yes, then please explain: _____
Approved by TERO: Yes No _____
Tribal Authorized Signature Date

Method of Payment: Total Sum Installments To be paid upon completion of work/job/project

Reason for method of payment: _____

Approved by TERO: Approved Disapproved _____
Tribal Authorized Signature Date

TERO fee payments are to be paid or mailed to the Bishop Paiute Tribe Fiscal Department at 52 Tu Su Lane, Bishop Ca. 93514. Make checks payable to the Bishop Paiute Tribe-TERO and the CPA number will need to be included on the check.

V. EFFECTIVE DATE

This Compliance Plan Agreement will be in full force and effect as of the approved date below, and for the duration of the job/project, or until both parties mutually agree to renegotiate any negotiable item.

Employer, Contractor, Subcontractor Representative Date

TERO Representative Date

PLEASE FILL OUT THIS FORM COMPLETELY. INCOMPLETE INFORMATION MAY DELAY YOUR COMPANY WORKING ON THE RESERVATION.