TOHONO O'ODHAM NATION PREVAILING WAGES SECOND EDITION APRIL 18, 2008



TOHONO O'ODHAM NATION TRIBAL EMPLOYMENT RIGHTS OFFICE

P.O. Box 40 Sells, Arizona 85634 Office: 1-888-882-5510 (Toll Free) • Direct Line: (520) 383-3304 Fax: (520) 383-2781 • E-mail: tero@toua.net



MEMORANDUM

TO:

All Departments, Executive Branch

All Legislative Council Members, Legislative Branch

Judiciary Branch All Districts

All Entities Operating on the Tohono O'odham Nation

All TERO Certified Firms

FROM:

Jennifer Thomas, Chairperson Tribal Employment Rights Commission

RE:

Tohono O'odham Nation Prevailing Wages

DATE:

May 7, 2008

The TERO Commission appeared before the Legislative Council on April 10, 2008 to present the Tohono O'odham Nation Prevailing Wages Second Edition. Attached is a copy of the revised Tohono O'odham Nation Prevailing Wages that was approved by the Legislative Council under Resolution No. 08-186. This law is effective April 18, 2008.

Questions regarding this document may be addressed to the TERO Commission, Attention: Jennifer Thomas, Chairperson, P.O. Box 40, Sells, Arizona 85634.

Cc:

TERO Commission

TERO Office

TOHONO O'ODHAM NATION WAGE SCALE SECOND EDITION

	RATE/FRINGE
TRADE	\$26.21
BOILERMAKERS	\$17.36
Fringe	77.70
AND CTONEMASONS	\$22.50
BRICKMASONS, BLOCKMASONS (bricklayers) , AND STONEMASONS	\$3.91
Fringe	201.10
CARPENTERS (includes cabinet installer, formwork, framework, metal stud	\$21.10
framing, drywall installer, drywall tapers)	\$5.17
raming, drywan instanci, drywda tag	
Fringe	\$22.59
CARPET, FLOOR, AND TILE INSTALLERS AND FINISHERS	\$2.69
Fringe	\$17.75
CEMENT MASONS, CONCRETE FINISHERS, SEGMENTAL PAVERS, AND	
TERRAZZO WORKERS	\$6.01
Fringe	
CONSTRUCTION EQUIPMENT OPERATORS	
(See Attachment "A" for Group Listing)	\$18.15
	\$21.42
Group 1	\$22.50
Group 2	\$23.53
Group 3	\$7.48
Group 4	
Fringe (for all groups)	
CONSTRUCTION LABORERS	
(See Attachment "B" for Group Listing)	\$14.64
	\$15.51
Group 1	\$16.19
Group 2	\$17.11
Group 3	\$17.95
Group 4	\$18.89
Group 5	\$19.97
Group 6	\$4.70
Group 7	
Fringe (for all groups)	\$15.55
DRYWALL INSTALLERS, CEILING TILE INSTALLERS, AND TAPERS	\$4.86
DRYWALL INSTALLERS, CHIMING	
Fringe	\$22.50
- CONDICIANO	+3%
ELECTRICIANS	+\$6.04
Fringe	
Fringe	\$28.68
ELEVATOR INSTALLERS AND REPAIRERS	
ELEVATOR INSTALLERS AND ADDITIONAL PROPERTY OF THE PROPERTY OF	\$19.89
OV LETTERS	\$3.70
GLAZIERS	

20.41

	RATE/FRINGE
TRADE Value Laborers' Wage Rates &	\$18.89
AZARDOUS MATERIALS REMOVAL WORKERS (See Laborers' Wage Rates &	2.1.70
lassifications - GROUP 6)	\$4.70
ein (TA	216.00
IIIgt	\$16.80
EATING, AIR-CONDITIONING, AND REFRIGERATION MECHANICS AND	
NSTALLERS	000.00
ASTALLIBATO	\$22.02
NSULATION WORKERS	\$9.12
Fringe	71605
	\$16.95
PAINTERS AND PAPERHANGERS	\$2.95
Fringe	77.50
	\$26.50
PIPELAYERS, PLUMBERS, PIPEFITTERS, AND STEAMFITTERS	\$11.00
Fringe	\$15.00
PLASTERERS AND STUCCO MASONS	
PLASTERERS AND STOCK	\$17.80
ROOFERS, WATERPROOFERS	\$3.37
Fringe	\$23.20
SHEET METAL WORKERS	+3%
	+\$9.30
Fringe	
Fringe	\$20.66
STRUCTURAL AND REINFORCING IRON AND METAL WORKERS	\$13.59
Fringe	\$23.00
WELDING, SOLDERING, AND BRAZING WORKERS	\$15.2:

PROPOSED TOHONO O'ODHAM NATION TRAINING WAGE SCALE Attachment "C"

- 0 below 1 Year OJT (may include classroom time) = 50% of wage rate
- 1 Year to under 2 Years OJT (may include classroom time) = 60% of wage rate
- 2 Years to under 3 Years OJT (may include classroom time) = 70% of wage rate
- 3 Years to under 4 Years OJT (may include classroom time) = 80% of wage rate
- 4 Years to under 5 Years OJT (may include classroom time) = 90% of wage rate
- 5 Years or more OJT (may include classroom time) = 100% of wage rate

TOHONO O'ODHAM NATION WAGE SCALE

SECOND EDITION

Operating Engineers Wage Rates & Classifications Attachment "A"

GROUPI

RATE

FRINGE

\$18.15

\$7.48

A-Frame Boom Truck Air Compressor Operator

Beltcrete Operator

Boring Bridge and Texture

Brakeman

Concrete Mixer Operator (skip type)

Conductor

Conveyor Operator

Cross Tineing and Pipe float

Curing Machine Operator

Dinky Operator (under 20 tons)

Elevator Hoist Operator (Husky & similar)

Fireman (all)

Forklift & Ross Carrier Operator

Generator Operator (all)

Handler

Highline Cableway Signalman

Hydrographic Mulcher

Hydrographic Seeder

Joint Inserter

Jumbo Finishing Machine

Kolman Belt Loader Operator

Machine Conveyor Operator

Multiple Power Concrete Saw Operator

Pavement Breaker

Power Grizzly Operator

Pressure Grout Machine Operator (as used in heavy engineering construction)

Pump Operator

Roller Operator

Roller Operator (except as otherwise classified)

Self-Propelled Chip Spreading Machine

Skiploader (3 c.y. & less)

Slurry Seal Machine Operator (moto-paver driver)

Small Self-Propelled Compactor (with blade)-backfill, ditch operator

Straw Blower

Tripper Operator

Tugger Operator

Wheel-Type Tractor Operator (Ford-Ferguson type with attachments, etc.)

Winch Truck

Water Truck Driver (all sizes and types)

FRINGE RATE \$7.48 GROUP II \$21.42

Aggregate Plant Operator (including crushing, screening and sand plants, etc.)

Asphalt Laydown Machine Operator

Asphalt Plant Mixer Operator

Backhoe Operator (Rubber Tire or Track less than 1 c.y.)

Bee Gee Operator

Boring Machine Operator

Concrete Mechanical Tamping Spreading or Finishing Machine Operator (including Clary, Johnson or

Concrete Batch Plant Operator (all types and sizes)

Concrete Mixer Operator (paving type and mobile mixers)

Crane Operator (crawler and pneumatic less than 15 tons capacity MRC)

Drilling Machine Operator (including water wells)

Elevating Grader Operator (all types and sizes, except as otherwise classified)

Electrician Ground Man (assisting lineman electrician)

Field Equipment Serviceman Locomotive Engineer (including Dinky 20 tons weight and over)

Moto-Paver (and similar type equipment) Operator

Motor Grader Operator (any type power blade-rough)

Oiler Driver

Operating Engineer Rigger

Pneumatic Tired Scraper Operator (all sizes and types)

Power Jumbo Form Setter Operator

Road Oil Mixing Machine Operator

Roller Operator (on all types asphalt pavement)

Self-Propelled Compactor (with blade) (815, 825 or equivalent – grade operation)

Skip Loader Operator (all types with a rated capacity over 3 but less than 6 c.y.)

Slip Form Operator (power driven lifting device for concrete forms)

Soil Cement Road Mixing Machine Operator (single pass type)

Stationary Pipe-Wrapping & Cleaning machine Operator

Surface Heater and Planer Operator

Tractor Operator (dozer, pusher-all)

Traveling Pipe-Wrapping Machine Operator

Trenching Machine Operator

Tugger Operator (two or more drums)

GROUP III

RATE

FRINGE

\$22.50

\$7.48

Auto Grade Machine Operator (CMI and similar equipment)

Boring Machine Operator (including Mole, Badger, Horizontal Boring or Directional Boring Operators only one operating engineer shall be required for each horizontal or directional boring machine unless additional seated operating stations are incorporated on the machine by the original equipment

manufacturer (OEM).) Concrete Pump Operator (truck mounted with boom attached)

Crane Operator (crawler and pneumatic over 15 tons & less than 100 ton capacity MRC)

Crawler-Type Tractor Operator (with boom attachment and slope bar)

Derrick Operator

Gradall Operator

Grade Checker (excluding Civil Engineer)

Heavy Duty Mechanic/Welder

Helicopter Hoist Operator or Pilot

Highline Cableway Operator

Mass Excavator Operator (150 Bucyrus, Erie and similar type)

Mechanical Hoist Operator (two or more drums)

Motor Grader Operator (any type power blade-finish)

Mucking Machine Operator

Overhead Crane Operator

Pile driver Engineer (portable, stationary or skid)

Power Driven Ditch Lining or Ditch Trimming Machine Operator

Remote Control Earth Moving Machine Operator

Rotomill and Milling Machine Operator (asphalt or concrete planing)

Skip Loader Operator (all types with rate capacity 6 c.y. but less than 10 c.y.)

Slip Form Paving Machine Operator (including Gunnert, Zimmerman and similar types)

Tech (survey instrument man)

Universal Equipment Operator (shovel, backhoe, dragline, clamshell, etc., up to 10 c.y.) Tower Crane (or similar type)

GROUP IV

RATE

FRINGE

\$23,53

\$7.48

Crane Operator (pneumatic or crawler -100 ton hoisting capacity and over MRC rating)

Operating Engineer Electrician (including lineman, tower erector, cable splicer, etc.)

Skip Loader Operator (all types with rated capacity of 10 c.y. or more)

Universal Equipment Operator (shovel, backhoe, dragline, clamshell, etc. 10 c.y. and over)

Special:

Heavy Duty Repair Helper Heavy Duty Welder Helper

TOHONO O'ODHAM NATION WAGE SCALE

SECOND EDITION

Laborers' Wage Rates & Classifications Attachment "B"

GROUP I

RATE

FRINGE

\$14.64

\$4.70

General Labor All tenders not herein separately classified Astro-Turf Layer Cesspool Diggers and Installers Chat Box Man Chipper (clearing and grubbing) Clean-Up, Bull Gang & Trackman - Railroad Dump man and/or Spotter Fence Builder, Guardrail Builder – Highway Flagger Floor Sanders (concrete) Form Stripper Kettleman-Tarman Manually Controlled Signal Operator Packing Rod Steel and Pans Powderman Tender Pre-Wet Labor Rip Rap Stone Man Rock Slinger Scaffold Labor Shop Helper Spikers, Wrenchers-Cresote Tieman Tool Dispatcher of Checker Window Cleaner

	RATE	FRINGE
GROUP II	\$15.51	\$4.70

Pipe Helper
Asphalt Laborers
Bander
Cement Mason Tender
Concrete Mucker
Concrete Laborer (belt, pipe and/or hoseman)
Cutting Torch Operator
Fine Grader
Guinea Chaser
Power Type Concrete Buggy
Sandblaster (pot tender)

RATE GROUP III \$16.19

\$4.70

FRINGE

Concrete Small Tools (Hilti, Vibrator, Chipping Hammer) Cement Finisher, Helper Chain Saw (on clearing & grubbing) Compaction Tool Operator Concrete Vibrating Machines Cribber and Shorer (except tunnel) Electric tools Operator and tender of pneumatic and Pipe Caulker and/or Backup Man – Pipeline Pipe Wrapper Pneumatic Gopher Pre-cast Manhole Erector

Riggers & Signal Man - Pipeline FRINGE RATE GROUP IV \$4.70 \$17.11

Air and Water Washout Nozzleman (low and high pressure) Asphalt Raker 1 Bio-Filter, Pressman, Installer, Operator Certified Scaffold, Laborer Concrete Cutting Torch Concrete Saw (hand-guided) Driller (jackhammer and/or pavement breaker) Grade Setter (pipeline) Hand-Guided Trencher and similarly non-metallic transite and plastic pipe, operated equipment Pipe Layer including, but not limited to water pipe, sewer pipe, drain pipe, and underground tile pipe and conduit Sandblaster (nozzleman) Scaler (using bason's chair or safety belt Tamper (mechanical - all types)

GROUP V

RATE

FRINGE

\$17.95

\$4.70

Lead Pipe Man AC Dumpman Asbestos Abatement Asphalt Raker II Driller Doctor and/or Air Tool Repairman Driller - core, diamond, wagon, air track, Form Setter and/or Builder Form Setter/Finisher ! Hazardous Waste, Removal Hydrasonic, powder amn Joy Mustang, PR-143, 220 Gardner-Denver Lead Abatement Process Piping Scaler (driller) Water Blaster Operator Welder and/or Pipelayer installing

GROUP VI

RATE

FRINGE

\$18.89

\$4.70

CONSTRUCTION SPECIALIST (I)

Forklift
Sky Lift/Scissor Lift
Trencher
Certified Hazardous Waste Worker
Certified Lead Remover
Licensed Pest Technician
Hydro Mobile Scaffold Builder
Radiation Worker

CONSTRUCTION SPECIALIST (II)

Finisher II Finisher III Form setter/ Finisher, bridge finisher

GROUP VII

CDL

RATE

FRINGE

\$18.89 \$19.97 \$4.70 \$4.70

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RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL (Adopting a Wage Determination for Construction Projects within the boundaries of the Tohono O'odham Nation)

RESOLUTION NO. 08-186

	11	v .	
		(Nation) enacted a Wage Determination pursuant to	
1	W	HEREAS, the Tohono O'odham Nation (Nation) enacted a Wage Determination pursuant to Legislative Council Resolution No. 01-028 (Adopting a Wage Determination for	
2			
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5			
6	W	generated from construction projects occurring where the state of the	
7		workers, at a minimum, the wages and case	
8		Determination; and	
9	1	Determination; and WHEREAS, the Wage Determination was also enacted to pay workers, within the Nation, wages equivalent to those paid to similar workers outside the Nation's lands and since 2001, equivalent to those paid to similar workers outside the Nation's lands and since 2001,	
10		equivalent to those paid to similar workers out of the wages in the Nation's surrounding geographical area have increased while the	
11			
13	2	Nation's wages have remained the same; and Nation's wages have remained the same; and WHEREAS, the Tribal Employment Rights Commission (TERO Commission), advised by the Tribal	
1.	3	WHEREAS, the Tribal Employment Rights Commission (TERO of Employment Rights Office (TERO Office) has researched and evaluated the prevailing	
1		Employment Rights Office (TERO Office)	
1	5		
1	.6	77 C C 1/B2 CL 3041/	
1	17	WHEREAS, the federal Davis-Bacon Act (40 U.S.C. 2764 et al., 2764 et a	
	18	construction workers employed under to	
	19	projects within the Nation; and WHEREAS, the Domestic Affairs Committee of the Legislative Council has reviewed this wage	
	20	WHEREAS, the Domestic Affairs Committee of the Ecgardan determination proposal and recommends its approval by the Legislative Council.	
	21		
	22	NOW, THEREFORE, BE IT RESOLVED that the Tonono o durant "A" and Attachment "B" for attached wage determination and Attachment "A" and Attachment "B" for attached wage determination and Attachment "A" and Attachment "B" for attached wage determination and Attachment "A" and Attachment "B" for attached wage determination and Attachment "A" and Attachment "B" for attached wage determination and Attachment "A" and Attachment "B" for attached wage determination attached wage determination and Attachment "B" for attached wage determination and Attachment "B" for attached wage determination attached wa	1
	23	attached wage determination and Attachment Construction projects within the exterior boundaries of the Tohono O'odham Nation	L
	24		
	25	as follows: 1. Wage Determination. The wage determination attached hereto is adopted	
	26		
	27	Contractors and subcontractors in projects covered are required to pay their workers, at a minimum, the wages and cash in lieu of	1
	28	benefits specified herein.	
	29	репень эрости	

(Adopting a Wage Determination for Construction Projects within the boundaries of the Tohono O'odham Nation)

Page 2 of 6

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- 2. All wages pursuant to the wage determination will be paid at the hourly wagedescribed herein. No other method of payment is permitted.
- 3. Effective Date. The effective date of this wage determination shall be the date of approval of the Chairperson of the Tohono O'odham Nation of the resolution adopting the wage determination. This wage determination will not apply to projects where the bid solicitation was distributed before the effective date.

4. Definitions.

- A. "Apprentice" means either: (1) a person employed and individually registered in a bona fide apprentices hip program registered with the U.S. Department of Labor, Employment and Training Administration, Bureau of Apprenticeship and Training, or with an Apprenticeship Agency administered by a state or Indian Tribe and recognized by the Bureau: or (2) a person in the first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Bureau of Apprenticeship and Training or a State or Tribal Apprenticeship Agency to be eligible for probationary employment as an
 - B. "Construction" means all construction activity which relates to: the erection or building of new structures or improvements and the acquisition, replacement, expansion, remodeling, alteration, modernization or extension of existing structures and improvements; drilling, blasting, excavating, earth moving, clearing and landscaping, painting and decorating; the $manufacturing\ or\ finishing\ of\ materials, articles, supplies\ or\ equipment\ at the$ construction site; and road construction and repair. All construction activity previously included with the terms "Commercial Construction," "Residential Construction," and "Heavy Construction" as defined in Resolution No. 01-028 is included in this definition of "Construction."
 - C. "District" means any of the 11 districts of the Nation as described in Article IX of the Constitution of the Tohono O'odham Nation and any district hereafter added.

enterprises and authorities.

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	SOLUTION NO. <u>08-186</u> lopting a Wage Determination for Construction Projects within the boundaries of the Tohono odham Nation) ge 4 of 6	
1 2 3 4	6. Exemptions. The following categories of projects shall be exempt from this wage determination: A. Projects in which one of the Districts of the Tohono O'odham Nation is a contracting party, unless that District adopts the wage determination of the	
5 6 7 8 9 10 11 12	Nation. B. Projects where the United States government or any of its departments, agencies or instrumentalities is a contracting party. C. Projects where the State of Arizona or any of its departments, agencies, or instrumentalities is a contracting party. D. Projects where wages are established by a collective bargaining agreement except that no collective bargaining agreement shall prevent employees except that no collective bargaining agreement shall prevent employees referred by TERO from exercising the option to either: 1) accept cash in lieu of	
13 14 15	referred by TERO from exercising the operations of a collective benefits; or 2) receive benefits in accordance with the provisions of a collective bargaining agreement as modified. E. Projects performed by a natural person for that person's personal, family or household purposes. F. Projects performed with the existing employees of an otherwise covered entity	
1' 1' 1' 2 2	for that entity's own construction projects. G. Trainee registered with the TERO Office in which case the TERO Office will develop a trainee wage scale base on this wage determination. The trainee wage scale will be approved by the TERO Commission by Resolution. H. Projects where the total cost of construction is \$5,000.00 or less.	-
3	H. Projects where the total collections. 7. Procedure for Requesting a Wage Determination. 7. Procedure for Requesting a Wage Determination. 1. If a given occupation is not listed in this wage determination, the following procedure to obtain a project specific wage determination shall be followed. 1. The contracting company for the project requesting a wage determination shall be contracting company for the project requesting a wage determination shall be contracting company for the project requesting a wage determination shall be contracting company for the project requesting a wage determination shall be contracting company for the project requesting a wage determination shall be contracting company for the project requesting a wage determination shall be contracted by the contracting company for the project requesting a wage determination shall be contracted by the contracting company for the project requesting a wage determination shall be contracted by the contracting company for the project requesting a wage determination shall be contracted by the contracting company for the project requesting a wage determination shall be contracted by the contracting company for the project request form to the TERO Office.	
	submit a Wage Determination Request Form In completing the form the requesting party must furnish: A. The title of the occupation.	

(Adopting a Wage Determination for Construction Projects within the boundaries of the Tohono O'odham Nation) Page 5 of 6

B. A sufficiently detailed description of the project to indicate the type(s) of construction involved. Separate attachments, may be submitted, if necessary for identification of the type of project.

 $The \, TERO\, Of fice\, will \, provide\, a\, wage\, determination\, for \, the\, unlisted\, occupation\, within\, a constant of the contraction of the contr$ 20 calendar days, unless additional information is requested by the TERO Office, in which case, a determination will be issued within 20 calendar days from the time the additional information is received by the TERO Office.

 $Wage \, determinations \, is sued \, pursuant \, to \, this \, section \, will \, become \, part \, of \, the \, Nation's \, determinations \, is sued \, pursuant \, to \, this \, section \, will \, become \, part \, of \, the \, Nation's \, determination \, det$ wage determination scale.

The wage determination (including any additional classifications and wage rates, decided by the TERO Office) must be posted at all times by the contractor and its $subcontractors \, at the site \, of the \, work \, in \, a \, prominent \, and \, easily \, access \, ible \, place \, where \, a \, prominent \, and \, easily \, access \, ible \, place \, where \, a \, prominent \, and \, easily \, access \, ible \, place \, where \, a \, prominent \, and \, easily \, access \, ible \, place \, where \, a \, prominent \, and \, easily \, access \, ible \, place \, where \, a \, prominent \, and \, easily \, access \, ible \, place \, where \, a \, prominent \, and \, easily \, access \,$ it can be easily seen. The wage determination may be obtained at no charge from the TERO Office. In the absence of such posted information, any person who wants to determine if the project is covered by this wage determination should contact the TERO Office.

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The TERO office shall have authority to enforce this wage determination under 9. Enforcement. procedures specified in the TERO Ordinance, Ordinance No. 01-85. Failure by any employer, contractor or subcontractor to pay wage rates as set by this wage determination, or higher wages, shall render such employer liable for the difference between the amounts actually paid and the amounts required under this wage determination, together with simple interest thereon at 10 % per annum. Actions of the TERO Office or TERO Commission may be appealed under the terms of Section $15\,$

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10^{TH} . Day of APRIL, 2008 at a meeting at which a quorum was present with a vote of 2,353.4 FOR; -0- AGAINST; 181.1NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1(c)(2)(e)(I) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

	ting a Wage Determination for Construction Projects within the boundaries of the Tohono am Nation)
	CONTION NO. 08-186
RESOI	ting a Wage Determination for Consu
11 % 5.4 9 6 3 2 2	div.
Page	6 of 6
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2	le de de chairman
3	Verion M. Jose, Legislative Chairman day of
4	2008
5	day of
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7 8	
9 ATT	EST:
11	A de la companya della companya della companya de la companya della companya dell
12	Tuma Tegislative Secretary
13 Luc	Sille Lopez, Acting Legislative Secretary
7.4	// /// 2000:
15 /	day of
16	2008 at 5.18 o'clock
17 Sai	day of constitution and will become effective
18 Na	tion on the day section 5 of Article VII of the Constitution of within 48 hours of
19 pu	rsuant to the provisions of Section to either approve or disapprove
20 ur	tion on the day of
	bmittal.
	bmittal. TOHONO O'ODHAM LEGISLATIVE COUNCIL
22	
23	Verlon M. Jose, Legislative Chairman
24	
25	Year Legisletive Chairman
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28	on the 18 day of 1, 2008
29	2008
11	on the day of,
30	APPROVED 7
	at 3.40 o'clock, .M.
32	DISAPPROVED
33	A A A
34	
35	NED VORRIS, JR., CHAIRMAN
36	NED WORRIS, JR., CANADION
37	TOHONO O'ODHAM NATION
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39	
40	101
41	Returned to the Legislative Secretary on the
	Returned to the Legislative Secretary of
42	4'00 piclock, M.
43	APRIL , 2008, at
44	
45	Carried for
46	Returned to the Legislative Secretary APRIL , 2008, at 4:00 o'clock, 1.M. JULIANNA SARAFICAO AM.
47	Lucille Lopez, Acting Legislative Secretary
48	Lncille Lopez, Acting 2-5

Resolution of the Tohono O'odham Nation Tribal Employment Rights Commission (Adopting the Training Wage Scale)

RES: 1-2010-01

the Tribal Employment Rights Commission (the Commission) was created by the Papago Council through the Tribal Employment Rights Ordinance 01-78, which was later superseded by Tribal Employment Rights Ordinance 01-85 (the WHEREAS, Ordinance); and

the Ordinance gives the Commission full power and authority to formulate, adopt, and amend rules and regulations necessary to carry out the provisions of the Ordinance, and the Commission did adopt the Tribal Employment Rights WHEREAS, Regulations (the Regulations); and,

pursuant to Resolution of the Tohono O'odham Legislative Council (Resolution No. 08-136, Section 6.G), "The trainee wage scale will be approved by the TERO WHEREAS, Commission by Resolution."; and

a Training Wage Scale was proposed to the Commission by TERO Office for consideration and to be adopted into the Wage Scale, WHEREAS,

THEREFORE IT BE RESOLVED, that the proposed Training Wage Scale (herein attached) was adopted by the Commission.

The foregoing Resolution was approved by the Tohono O'odham Employment Rights Commission on the 15th day of January, 2010 at a meeting which a quorum was present with a vote count of 3 FOR; O AGAINST; and 1 ABSENT, pursuant to the powers vested in the Commission by Section 7 (A) of the Tohono O'odham Employment Rights Ordinance 01-85, enacted and approved by the Papago Council.

TOHONO O'ODHAM TRIBAL EMPLOYMENT BLOHTS COMMISSION

Shawn Ramon, Chairman Z TERO Commission 2-10-

Member Signatur

This Resolution need not be presented to the Tohono O'odham Legislative Council for approval because it falls within the enumerated powers of the Commission in Section 7 (A) of the Tohono O'odham Tribal Employment Rights Ordinance.

PROPOSED TOHONO O'ODHAM NATION TRAINING WAGE SCALE Attachment "C"

- 0 below 1 Year OJT (may include classroom time) = 50% of wage rate 1 Year to under 2 Years OJT (may include classroom time) = 60% of wage rate
- 2 Years to under 3 Years OJT (may include classroom time) = 70% of wage rate 3 Years to under 4 Years OJT (may include classroom time) = 80% of wage rate
- 4 Years to under 5 Years OJT (may include classroom time) = 90% of wage rate
- 5 Years or more OJT (may include classroom time) = 100% of wage rate