



Smith River Rancheria

Tribal Employment Rights Office Policies and Procedures

POLICY NUMBER: TP.201

REPLACES POLICY DATED: February 2nd, 2010

SUBJECT: Establishment of Tribal Employment Rights Office Job Placement and Training Assistance Policies and Procedures

EFFECTIVE DATE: January 6, 2015

OBJECTIVE: To establish a consistent method of preparing, reviewing, approving and distributing Job Placement and Training Assistance funding to individual Tribal Members.

SCOPE: Smith River Rancheria Tribal Members.

DEFINITIONS:

Adult: An individual at least eighteen years of age or who has been emancipated by a competent court of law.

Assistance: Assistance shall mean the receipt of one or more Supportive Services.

Client: An individual who receives a Supportive Service from TERO.

Eligible Indian: A Smith River Rancheria member listed on the official membership rolls.

Full-time: Employment greater than or equal than thirty hours per week.

Individual Self-Sufficiency Plan: Document showing how TERO assistance will lead to the promotion of an individual's ability to self-sufficient.

Occupational Specialty: Shall mean the type of work being performed. An example would be moving from an office-type job to an outdoor/fieldwork position. A change from one office job to another shall not constitute a change in Occupational Specialty.

Part-time: Employment less than thirty hours per week.

Permanent/Continued: Employment that is believed to last at least one or more years.

Supportive Services: Services including but not limited to: counseling, tools, appropriate apparel, and other services needed to obtain employment, credentialing or licensing.

Unmet Need: The difference between current income/other available resources, and the expenses associated with finding employment or meeting training goals.

Underemployment: Employment where the employee is working in a Part-time position but wishes (or requires) Full-time employment.

Vocational Training: Technical training leading to permanent/continued Full-time employment or for the enhancement of current employment.

POLICY:

To provide financial assistance to Smith River Rancheria Tribal Members who are seeking or have obtained employment and who need assistance to continue or enhance that employment.

PART I. FUNDING AND ELIGIBILITY

Clients are obligated to provide the required information, via the *Application for Assistance* form, to obtain and determine the amount and type of benefits offered. After receiving any financial assistance, the Client shall provide evidence of how funds were used (see 'Use of Funds', below).

1. TERO funds are of a limited nature, and any assistance provided is dependent on available funding in the TERO Job Placement and Training program and the cost-benefit analysis of the expenditure. Job Placement assistance has a fund cap, depending on the individual's employment status, while Job Training assistance does not. They are as follows:
 - a. Job Placement assistance is limited to five hundred dollars (\$500) for those employed Full-time.
 - b. Job Placement assistance is limited to two hundred and fifty dollars (\$250) for those employed Part-time.
 - c. Job Training assistance is limited to one thousand dollars (\$1,000) for specialized vocational training, equipment, supplies or other expenses related to obtaining such training.
2. Program requirements are as follows:
 - a. Must be an Eligible Indian.
 - b. Must be an Adult.
 - c. Must complete TERO Job Placement and Training Assistance Packet.
 - d. Must complete TERO Skills Bank Application.
 - e. Must be requesting funding for a *new* employment situation, or where the *occupational specialty* has recently changed.
 - f. Request for TERO Assistance must be made within thirty (30) days of start of employment.

3. An Eligible Indian must also meet these eligibility requirements:
 - a. Must show an unmet need for Job Placement or Training assistance.
 - b. Must maintain acceptable level of participation (or another measure of quality, as defined by the individual program) in the training program.

Irrespective of the unmet Need, TERO assistance will not exceed one thousand (\$1,000) dollars in any twelve month (12) period.

PART II. USE OF FUNDS

Funds are awarded for a specific purpose as described in an applicant's *Assistance Packet*. If all funds cannot be spent according to the *Assistance Packet*, the unused portion must be immediately returned to the Smith River Rancheria TERO Office, so that the funds can be placed back into the Job Placement and Training budget. To avoid the misuse of funds, the TERO Client shall:

1. Spend the funds, in accordance with their *Assistance Packet* application and TERO Policies, within **sixty days** of the date the check was issued.
2. Keep a receipt record for the expenditure of funds. Photocopies of receipts will satisfy this requirement, and copies can be made at the Tribal Office.
 - a. Failure to provide a receipt record of how funds were spent:
 - a. May result in the denial of services in future.
 - b. Will result in the mandatory deduction of the total amount of assistance unaccounted from future Tribal disbursements.

PART III. PROGRAM REQUIREMENTS AND INDIVIDUAL SELF-SUFFICIENCY PLAN

The ISP will be jointly developed and signed by both the Client and the TERO Office and must include a statement indicating how the services provided will help the Client achieve or maintain self-sufficiency. Job Placement services are for developing job skills and obtaining permanent employment, leading to or promoting continued individual self-sufficiency.

Vocational training assistance requires a letter documenting acceptance and/or enrollment in an approved institution. In addition, the Client must be able to show how the vocational training will help them in their current employment situation or will help them achieve a personal goal which will contribute to the advancement of their economic well-being.

Financial assistance is not intended to supplement the income of a person already employed, to duplicate or supplant other job placement or training authorities, resources, or services; but is designed to complement and supplement where there may be gaps in an individual self-sufficiency plan (Unmet need).

When a Client has been placed in an employment situation, it is the obligation of the Client to confirm the status of the employment meets the requirements of this policy. To this end, the signature of the hiring manager or direct supervisor of the new employer will be required

on the *Job Offer Verification* form, found within the *Job Placement and Training Assistance* packet.

Before receiving services from the TERO Office, a Client shall provide a completed ISP that:

1. Details financial, material and educational resources necessary to assume a meaningful job.
2. Identifies financial assistance, special clothing, transportation, and support services necessary.
3. Identifies all financial resources currently available, including personal resources.
4. Defines the employment or training objective and plans to reach that objective.
5. Outlines required participation in the job placement activity.
6. Shows applicable employer's job information, and that has attached as supporting information a job offer form.
7. Contains documentation certifying Client is an Eligible Indian.

PART V. SUPPORTIVE SERVICES

Supportive Services may be considered for those who are unemployed or underemployed, provided there is an increase in job status to full-time. The Client shall certify, with appropriate supporting documentation, that they are unemployed or underemployed and how they will benefit from TERO Supportive Services in an application for Job Placement assistance.

Supportive services:

1. Are limited to five hundred dollars (\$500) over a twelve (12) month period
2. Can include but are not limited to:
 - a. Tools of a particular trade.
 - b. Initial Union fees and dues.
 - c. Transportation of household effects.
 - d. Transportation and hotel lodging near testing/school site.
 - e. Personal appearance (clothing).
 - a. May be used to purchase interview appropriate clothing.
 - f. House wares.
 - g. Child care.
 - h. Costs of employment counselors engaged in providing services to the TERO Client.
3. Available funds may also be used for transportation and subsistence for one (1) month or until the first paycheck from employment is received, whichever is less.
 - a. Funds may also be used for emergency assistance, where verified emergencies justify such grants and supportive services.

PART VI. APPEAL PROCESS

Denial of applications for the provision of Job Placement and Training assistance and services must be appealed first to the Tribal Administrator before being appealed to the Tribal TERO Commission. The decision letter received from the TERO Office will describe the reasons for denial and provide the applicant with information on how to appeal the decision. The process of appeal is as follows:

1. The appellant must first file a written notice of appeal to the TERO Office and with the Tribal Administrator for consideration. The notice must:
 - a. Contain the name, address, and telephone information of appellant.
 - b. Be clearly labeled “Notice of Appeal”.
 - c. Contain a statement of the decision being appealed that is sufficient to permit identification of the decision.
 - d. Contain an accompanying statement labeled “Statement of Reasons” for the appeal and shall incorporate all supporting documents to back up the appeal.
 - e. All appeals must be received at the Smith River Rancheria Tribal Office within ten (10) business days of the postmarked date on the denial decision letter to be deemed filled.

ADMINISTRATIVE RESPONSIBILITY:

TERO Office is to have day-to-day responsibility to insure that this policy is appropriately enacted and enforced.