

EMPLOYMENT PREFERENCE ORDINANCE

Siletz Tribal Code § 5.300

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Ordinance No. 5.300.

Date Adopted: December 22, 2025

Subject: Employment Preference

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§ 5.300 PURPOSE AND AUTHORITY

This Ordinance shall be known as the Confederated Tribes of Siletz Indians Employment Preference Ordinance.

The Confederated Tribes of Siletz Indians (“Tribe”), a federally recognized Indian tribe, establishes this Ordinance as an exercise of its inherent rights of sovereignty to promote Indian preference in employment.

The purpose of this Ordinance is to promulgate laws for governing preference in employment within Siletz Tribal jurisdiction. This Ordinance shall be liberally construed to fulfill the purpose of increasing the employment and economic opportunity of Siletz Tribal members and other Indians as defined in this Ordinance.

This Ordinance shall apply to tribal enterprises and entities operating on the Siletz Reservation, on Siletz Trust lands, or on Siletz Tribal property or Siletz projects off the Reservation. This Ordinance shall specifically apply to the following entities: the Confederated Tribes of Siletz Indians Administration, Siletz Community Health Clinic, Siletz Tribal Court, Siletz Internal Audit Department, Siletz Tribal Gaming Commission, Siletz Tribal Business Corporation, and Chinook Winds Casino Resort.

§ 5.301 DEFINITIONS

(a) “Covered Entity” or “Covered Entities” means all tribal entities, contractors, businesses, and employers, including entities incorporated under Siletz tribal law, subject to this Ordinance under STC § 5.300, Purpose and Authority.

(b) “Other Native(s)/Indian(s)” means any member of a Federally recognized Indian tribe, nation, or band, including members of Federally recognized Alaskan Native villages or communities.

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- (c) “Siletz Reservation” means all land within the jurisdiction of the Tribe.
- (d) “Siletz Tribal Member(s)” means an enrolled member of the Confederated Tribes of Siletz Indians.
- (e) “Siletz Tribal property” means all property owned by the Confederated Tribes of Siletz Indians, Siletz Community Health Clinic, Siletz Tribal Gaming Commission, or Siletz Tribal Business Corporation.
- (f) “Siletz projects” means all cultural, economic, developmental, or other venture undertaken by the Confederated Tribes of Siletz Indians, Siletz Community Health Clinic, Siletz Tribal Gaming Commission, or Siletz Tribal Business Corporation.
- (g) “Siletz Trust land” means all land held in trust by the federal government on behalf of the Confederated Tribes of Siletz Indians.
- (h) “Qualified” means meeting the minimum job qualification criteria set forth in a job description. An individual’s past work performance for a Covered Entity may be considered in assessing the individual’s qualifications. Individuals with a history of chronic or serious violations of workplace policy (e.g., harassment, criminal activity, etc.) or repeated involuntary separations from employment may be considered not Qualified for a position. Conduct occurring prior to the date of interview for a position may be part of determining whether an individual is Qualified, subject to the discretion of the Covered Entity. In the case of Executive level positions, licensed health providers, or licensed professionals, Qualified shall also mean that the individual’s work history, references, and history of compliance with professional licensure rules demonstrates their competency to perform the job as reasonably determined by the Covered Entity.
- (i) “Veteran(s)” means an individual with a valid Certificate of Release or Discharge from Active Duty (DD214 or 215); or a letter from the U.S. Department of Veterans Affairs indicating the applicant received a non-service connected pension.

§ 5.302 PREFERENCE IN EMPLOYMENT

- (a) Indian Preference in Employment. Covered Entities shall give Indian preference to Qualified candidates in regards to hiring. Indian preference means that, at minimum, Qualified candidates who fall within the preference categories listed below must receive an advantage in
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hiring decisions by Covered Entities compared to Qualified candidates who do not fall within a preference category. Indian preference shall be given in the following order:

- (1) Siletz Tribal Members;
- (2) Other Natives/Indians.

(b) Veterans Preference in Employment. Covered Entities shall give preference to Qualified Veteran candidates in regards to hiring. Veterans preference means that, at minimum, Qualified Veteran candidates must receive an advantage in hiring decisions by Covered Entities compared to Qualified non-Veteran candidates. Veterans preference does not supersede any category of Indian preference. Veterans preference shall not affect the order that Indian preference is given.

(c) Documentation. Covered Entities may require Qualified candidates for employment and employees seeking preference to provide documentation showing Veteran status or inclusion in one of the preference classes listed above in subsection (a)(1) through (a)(2).

(d) Job Qualifications and Requirements. All Covered Entities shall establish written job requirements for each employment position in their work force.

(e) Layoffs/Recall. Unless prohibited by applicable federal law, in the event of a reduction-in-force affecting a certain class of positions, Covered Entities shall retain Qualified Siletz Tribal members, until all non-Siletz Tribal members in that class of positions are laid off. In the event of a recall from a reduction-in-force, Covered Entities will follow the preference listed above in subsection (a)(1) through (a)(2).

§ 5.303 REGULATORY AUTHORITY

Nothing in this Ordinance shall prevent Covered Entities from developing internal policies or rules that expand upon, but remain consistent with, the provisions of this Ordinance.

§ 5.304 APPEALS

Decisions made pursuant to this Ordinance are final and not subject to appeal.

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§ 5.305 SOVEREIGN IMMUNITY

Nothing in this Ordinance is intended to waive or alter the sovereign immunity of the Siletz Tribe, Tribal departments, entities, or employees acting in their official capacities.