

Introducing “The Shoshone-Bannock Worker Protection Ordinance”

Enacted October 2010



The Fort Hall Business Council, the Leadership body of the Shoshone-Bannock Tribes adopted Ordinance in 2010

- Purpose: To ensure that no employer discriminates against employees in any aspect of employment, including but not limited to hiring, promotions, demotion, transfer, change in work status, wages, leave, work conditions, layoffs, and termination of employment.
- A. Applicability: This ordinance applies to all persons engaging in, operating, employed in or participating in work within the exterior boundaries of the Ft. Hall Indian Reservation and shall apply to all persons, whether tribal or non-tribal, employment, private, or public, including all employees of the Tribes and its departments, subdivisions, enterprises, and gaming operations.

(Applicability continued)

B. To require all employers establish training programs intended to combat the effects of discrimination.

**FOR THE PURPOSE OF THIS PRESENTATION WE
WILL MOVE TO:**



**CHAPTER 7 " THE TRIBAL OCCUPATIONAL SAFETY
AND HEALTH ADMINISTRATION. This chapter
spells out the duties of employers and
employees.**

- 1. Established the TERO Office as the designated TOSHA OFFICE.**
- 2. Created the TERO /TOSHA Safety Officer (s)**
- . 3. Citation Process/Packet.**

WPO, Chapter 7
Shoshone-Bannock

TOSHA - Tribal
**Occupational Safety & Health
Administration.**



Scope of TOSHA

The Shoshone-Bannock Tribes Worker Protection Ordinance:

The scope and intent of the TOSHA framework is to assure each employer visiting the Ft. Hall Indian Reservation shall furnish our workers with a place and condition of employment that is free from recognized hazards that may cause death or serious physical harm to the employees, and comply with all occupational safety and health rules promulgated or adopted by our Tribe's. As stated earlier:

"This WPO Ordinance applies to all persons engaging in, operating, employed in or participating in work within the Reservation and shall apply to all persons, whether Tribal or non-Tribal employment, private or public, including all employees of the Tribes and its departments, subdivisions, enterprises, and gaming operations."

Establishment of TOSHA

TOSHA established by the Worker Protection Ordinance which was approved by Shoshone-Bannock Tribes on October, 2010.



TOSHA's Overall Mission!

- To promote the protection and well-being of workers through TERO/TOSHA regulations. And we will meet or exceed all regulatory demands as required by the CFR standards



Achieving TOSHA's Mission

- Assuring a safe workplace
 - Mandating that employers provide a place and condition of employment that is free from recognized hazards that may cause physical harm or death. This is accomplished by ensuring employers comply with occupational safety and health rules promulgated or adopted by the tribes.



TOSHA's Guidance

- For guidance the Shoshone-Bannock Tribes TERO Commission will look to the Occupational Safety and Health Act of 1975, 29 U.S.C.
- However the tribes will only use OSHA's standards for guidance and will self regulate all rules and enforcement with regards to violations.
- This includes ability to site and fine all contractors if necessary for any violations of the ordinance

TOSHA Oversight

- TOSHA has been providing over-site for all projects on the Fort Hall Reservation since the construction of the Hotel and Event center, this is done by continuous monitoring of all work related hazards and conditions at every work site with in the reservation jurisdiction.
- Monitoring safety by conducting safety audits, reviewing crane erection plans, critical lift plans, scaffold plans, toolbox/safety meetings, safety orientation, and comprehensive review of sub contractor safety plans. Our purpose is to ensure compliance.
- Accident and Incident investigations are also conducted by TOSHA for all contractor projects.

TOSHA also offers Safety Training & Builds Workforce Capacity:

- Due to the demand for qualified employees by contractors who are driven by regulatory and Tribal requirements. TOSHA Tribal Member Chris C Hugues, Safety consultant (CSP and OSHA outreach trainer) provides the safety training to our native workforce to help qualify them to do work on all projects within the reservation boundaries.

TERO | TOSHA TRAINING CLASSES

(These are Regulatory Required Classes)

MUST SIGN UP FOR CLASSES

Call TERO 208.478.3849 or

Trainer Chris Hugues at 208.681.4368

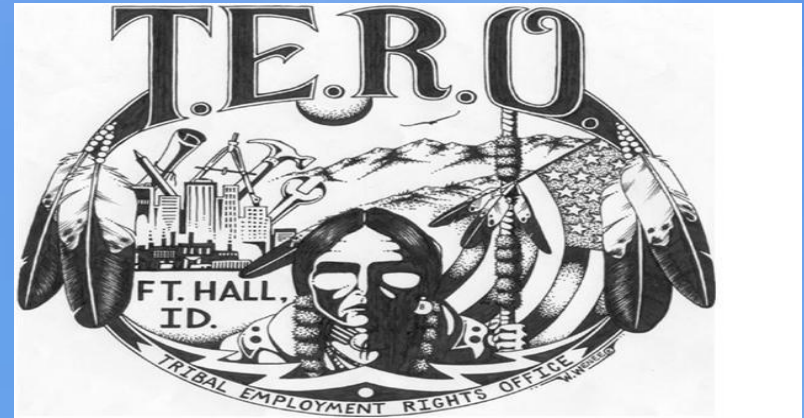
MONTH of October 2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7 OSHA 10 Construction 8 to 3	8 OSHA 10 Construction 8 to 3	9	10	11
12	13	14 Fall Protection 8 to 3	15	16	17	18
19	20	21 Hazwoper 24 8 to 3	22 Hazwoper 24 8 to 3	23 Hazwoper 24 8 to 3	24 Hazwoper 24 8 to 3	25
26	27	28 OSHA 10 Construction 8 to 3	29 OSHA 10 Construction 8 to 3	30	31 Aerial Lift 8 to 3	

TOSHA - Looking Forward

- TOSHA will develop additional regulations that will exceed OSHA minimum standards and provide additional regulations that are not covered by OSHA.
- Provide continual education to our Indian workforce. Conducting classes at the High School level on the construction, general industry standards for 11th and 12th grade students.
- Possibly establish training opportunities to other TERO offices to help develop their Indian workforce. And contractors who may need this service.
- Develop working relationships with other state and federal agencies thru MOU or MOA's with regards to safety.

TERO-TOSHA CITATION PROCESS



The Shoshone-Bannock TERO Commission, TERO Director, and TOSHA Officer developed a citation packet for enforcement measures on the Ft. Hall Indian Reservation. This year 2014 we have enforced the TOSHA Chapter 7 statutes and initiated fines to violators in the of \$6000. One violated was issued a initial notice and fine of up to \$30,000 but met and mitigated and brought forth compliance.

EACH TERO STAFF CAN Evaluate Your Worker Protection Risk Factors:
Identify and assess what you local tribal risk factors are: industrial, commercial, etc. and develop your Safety Requirements/Standards and statutes accordingly. We can assist your tribe in development of your WPO Tribal Occupational Safety and Health Administration framework.



Contact Us:

- If you have any questions with regards to the Shoshone-Bannock Tribes TOSHA program or would like to discuss ways we could possibly help your organization. Please don't hesitate to contact TERO STAFF & TOSHA's Safety Officer and TOSHA Technician at:
- TERO Director, Wesley Edmo, 1(208) 478-3847, wgedmo@sbtribes.com
- TERO Compliance Officer, Summer Baldwin (208)478-3755, smbaldwin@sbtribes.com
- TERO Administrative Placement Officer, Samantha DeRouche, 1(208) 478-3848, sderouche@sbtribes.com
- Chris Hugues, TOSHA OFFICER 1(208)478-3849, chugues@sbtribes.com.
- Rick Edmo, TOSHA TECHNICIAN 1(208) 478-3848, redmo@sbtribes.com

CONSTRUCTION

10 Hour
OSHA®



CONSTRUCTION

30 HOUR

OSHA[®]



Aerial Lift Training



Sponsored by Shoshone-Bannock Tribes TERO & TOSHA



FALL PROTECTION TRAINING



Sponsored by Shoshone-Bannock Tribes TERO/TOSHA Program

FORKLIFT

FORKLIFT

Certification Training



Sponsored by Shoshone-Bannock Tribes TERO/TOSHA Program

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