

GOVERNMENT TO GOVERNMENT 2020 ANNUAL REPORT



SUPPORT BUSINESS | PROMOTE EMPLOYMENT

INTRODUCTION

The Oregon Employment Department is honored to share our 2020 Government to Government Report with the Legislative Commission on Indian Services and Governor Brown. We recognize that tribal governments are separate sovereign nations with powers to govern their lands and protect the health, safety, and welfare of their members. This tribal sovereignty predates the existence of the United States government and the State of Oregon. We honor the sovereignty of Oregon's nine tribal governments and the right of every Native American in Oregon (regardless of tribal enrollment) to receive services from our agency. This report covers October 1, 2019, through September 30, 2020.

VISION AND MISSION

The Oregon Employment Department envisions an Oregon where meaningful work enables the state's diverse people and businesses to realize their full potential, creating prosperity in every community.

The mission of the Oregon Employment Department is to support business and promote employment. We deliver our services in more than 40 locations in Oregon and we accomplish our mission by:

- ↳ Supporting economic stability for Oregonians and communities during times of unemployment through the payment of unemployment benefits.
- ↳ Serving businesses by recruiting and referring the best-qualified applicants to jobs and providing resources to diverse job seekers in support of their employment needs.
- ↳ Developing and distributing quality workforce and economic information to promote informed decision-making.

VALUES, OPERATING PRINCIPLES, AND STRATEGIC GOALS

How the Oregon Employment Department behaves and conducts business is crucial to the success of our agency and the entire workforce system. In our work with customers, partners, stakeholders, and tribal governments, the Oregon Employment Department commits to the following values:

Integrity

We are trusted to keep our word, always acting with honesty and courage.

Respect

We value diverse perspectives, assume good intent, and act with compassion.

Community

We foster a sense of belonging for our employees, partners, and customers, creating positive impacts where we live and work.

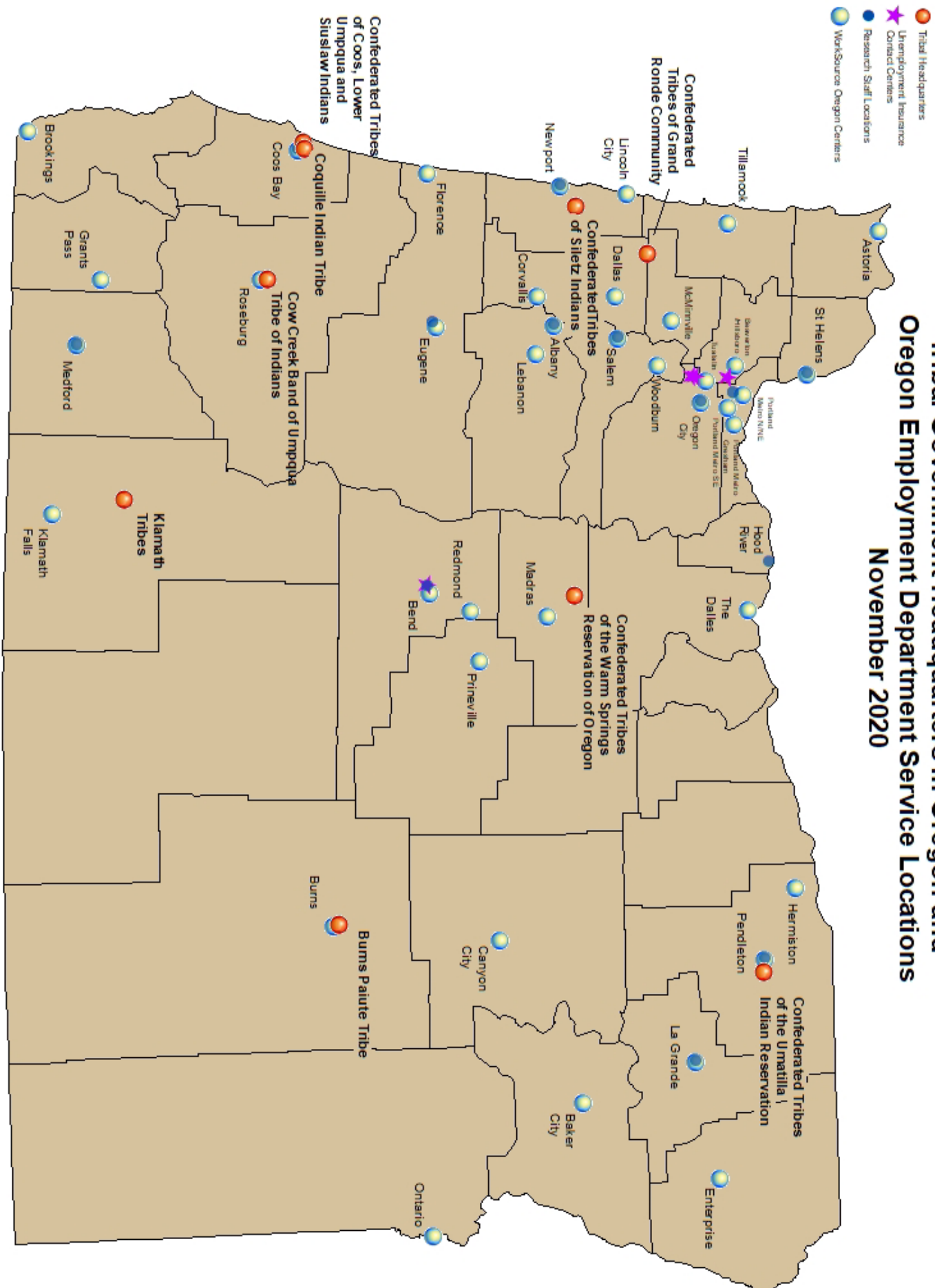
Our work is guided by the following operating principles:

- ↳ We are conscientious stewards of public resources.
- ↳ We are accountable for our actions and we admit when we are wrong.
- ↳ We are inclusive and transparent in our decision-making.
- ↳ We seek out and form effective alliances to address community needs.
- ↳ We promote a positive, safe, and learning environment.
- ↳ We work hard, and we're not afraid to laugh.

Our strategic goals are to:

- ↳ Continually advance our partnerships and systems to provide innovative services to Oregon's diverse people and businesses.
- ↳ Engage with communities across the state to maximize awareness and use of public workforce resources.
- ↳ Foster an inclusive and fair work environment where employees feel valued and supported in reaching their full potential.
- ↳ Invite and retain talented, diverse people to help us exceed our customers' expectations.

Tribal Government Headquarters in Oregon and Oregon Employment Department Service Locations November 2020



TRIBAL GOVERNMENT TO GOVERNMENT RELATIONS POLICY STATEMENT

We have an established policy regarding Tribal Government to Government Relations (see Appendix A), affirming that it is the policy of the Oregon Employment Department to recognize and respect the culture, history, and traditions of Oregon's American Indians, and to cooperate and communicate with Oregon's tribal governments and members.

TRIBAL LIAISON AND KEY CONTACT

David Gerstenfeld, Acting Director, 503-947-1477 or David.K.Gerstenfeld@oregon.gov

Teresa Rainey, Equity and Inclusion Officer, 503-586-9240 or Teresa.L.Rainey@oregon.gov

THE DIRECTOR

Our acting director, who was appointed to his role in June 2020, is the primary liaison to the tribes and has primary responsibility for issues and programs affecting the tribes. These programs include services to assist tribal members in finding employment and tribal companies in finding workers, the administration of unemployment insurance programs, and the provision of economic and workforce information to support the tribes' workforce and economic development efforts. Our acting director seeks input from representatives of Oregon's Tribes in developing programs or policies that might impact the tribes. He also plans to attend the annual Tribal Summit and has invited several agency leaders to attend with him.

Due to the onset of the COVID-19 pandemic in March 2020, we experienced an unprecedented workload in terms of unemployment insurance claims. Our acting director communicated with tribal governments regarding the COVID-19 emergency and unemployment claims processing through multiple methods, including participating in five sessions between March 2020 and September 2020 of the state-tribal call convened by Governor Brown regarding COVID-19 response efforts. In addition, our acting director shared information and updates during the Economic Development and Community Services Cluster meeting in May 2020.

Our acting director ensures compliance with relevant state and federal laws relating to relationships with tribal entities and also ensures that managers and employees who communicate with tribes receive annual training on the legal status of tribes, the legal rights of tribal members, and other issues of concern and interest to tribes. He also will notify all agency employees by email of the provisions of Oregon Revised Statutes (ORS) 182.162-182.168 during December of each year (see Appendix B for the 2019 email sent by the previous agency director).

THE EXECUTIVE TEAM

All members of our Executive Team are responsible for communicating and implementing the agency's policy throughout their areas of responsibility. Led by the acting director, the Executive Team is committed to communicating and collaborating with the tribes to foster mutual respect and collaboration, while promoting and improving government to government relations between the agency and tribes.

COMMITMENT TO CULTIVATING TRIBAL RELATIONS

Over the past year, we have continued to collaborate with Oregon's federally recognized tribes to achieve our mission in a way that honors our commitment to foster mutual respect and collaboration.

ADVISORY COUNCIL

Overview

The Employment Department Advisory Council was established by statute to advise the director of the Employment Department. The council has a particular focus on the agency's unemployment insurance program, including policy, administrative rules, legislation, program performance, business systems, and funding. It complements the role of the Oregon Workforce and Talent Development Board, which acts as the primary advisory body for Oregon's workforce system, including the Employment Department's Workforce program.

2020 Activities and Initiatives

Over the past year, Kurtis Barker, Self-Sufficiency Program Director for the Confederated Tribes of Siletz Indians, has served as the chair of the advisory council. As a member of the council, he provides a tribal and rural perspective and a commitment to advancing equity within government systems. However, this council did not meet in 2020, due to membership attrition and the agency's escalated focus on implementing the CARES Act. This entailed rapidly starting new programs and distributing billions of dollars in unemployment insurance (UI), Pandemic Unemployment Assistance (PUA), and other benefits to Oregonians. We are currently working on reconstituting the advisory council and are planning to restart activities in early 2021.

EQUITY AND INCLUSION COUNCIL

Overview

We foster fairness, equity, and inclusion to maintain a workplace environment where everyone is treated with respect and dignity regardless of race, color, national origin, religion, sex, sexual orientation, gender identity, marital status, age, veteran status, disability, or status as a victim of domestic violence, harassment, sexual assault, or stalking. This policy applies to every aspect of our employment practices, including recruitment, hiring, retention, promotion, and training. We strive to be an employer of choice for individuals of all backgrounds and promote an inclusive workplace culture that encourages diversity and allows employees to excel.

Sponsored by the director, our Equity and Inclusion Council is an internal employee group that provides a wide range of policy recommendations to the Executive Team and learning opportunities to the entire agency. By promoting awareness of diversity and a positive work and learning environment for all employees, our Equity and Inclusion Council works to enhance job satisfaction and the provision of effective, culturally intelligent services to the diverse populations we serve.

2020 Activities and Initiatives

In honour of Indigenous Peoples' Day in October 2019, our Equity and Inclusion Council sent an agency-wide email to provide information to all employees on the nine federally recognized Tribes of Oregon (see Appendix C). Our council also discusses strategies for recruiting and contracting with tribal members and enterprises.

EQUITY AND INCLUSION OFFICER

Overview

Our Equity and Inclusion Officer chairs the Equity and Inclusion Council and develops and implements programs designed to meet the agency's goal of a diverse and inclusive workforce. This position provides vision, direction, counsel, and leadership to all employees in the areas of equity, diversity, and inclusion in their daily work and in the programs and activities of the agency.

2020 Activities and Initiatives

Our Equity and Inclusion Officer is a key contact for the tribes and assists our acting director in his role as primary liaison to the tribes. Their activities include attending the ongoing Economic Development and Community Services Cluster meetings with tribal

government representatives, Legislative Commission on Indian Services public meetings and events, and the annual Tribal Summit (hosted in November 2019 by the Confederated Tribes of Umatilla Indians). Our Equity and Inclusion Officer also serves as the agency's cultural items liaison and led the work of assembling our first Cultural Items Report in November 2019.

PROGRAMS

Workforce Operations

Overview

Our Workforce Operations Division employees primarily serve businesses and job seekers to help grow a robust Oregon economy by supporting innovative local workforce delivery systems focused on serving communities. We customize services that solve challenges such as recruitment and training, and identify, screen, and refer job applicants to employers. We also assist businesses in securing federal tax credits and offsets training costs for hiring specific populations such as persons receiving public assistance, people with disabilities, veterans, and those who have been unemployed longer than six months.

Through a collaborative, customer-centric service delivery model, we work with partner agencies and organizations to assess and improve the job-readiness of candidates, including teaching them job search skills and coaching them on job search strategies, options, and expectations. Our primary partners include regional and local training providers (Workforce Innovation and Opportunity Act Title I), Workforce and Talent Development Board, local workforce development boards, Office of Workforce Investments (an interagency partnership between the Higher Education Coordinating Commission and the Employment Department), Department of Human Services' self-sufficiency and vocational rehabilitation programs, Commission for the Blind, Oregon's 17 independent community colleges, and local economic development organizations.

2020 Activities and Initiatives

Partnerships between the Employment Department and Oregon's federally recognized tribes occur at WorkSource Oregon centers across the state. These partnerships include business recruitment, exploratory services, job seeker workshops, and the provision of labor market information regarding wages and unemployment. They also include recruiting employees for tribal businesses, regularly networking with tribal employers' Human Resources departments, and working with tribes on local workforce investment boards. Below are additional partnership examples from individual WorkSource Oregon centers:

Employees from WorkSource Lane and Florence have kept in constant communication with the Confederated Tribes of Siletz Indians and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. One of our business and employment specialists is a member of the Relief Nursery Native American Advisory Board and attends board meetings to engage with the Native American community, raise awareness of WorkSource services, and assist in bridging gaps identified in other community services through the services provided by WorkSource.

Three Rivers Casino is also notified of all WorkSource job fairs and invited to participate. Two employees from WorkSource Lane participated as service providers at the Three Rivers Job Fair and collaborated with the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians to bring in employers to the job fair. Agency employees will continue meeting with tribal representatives, offering to train new Work Experience (WEX) participants to increase their customer service skills, and posting the tribes' job listings.

Employees from the WorkSource Lincoln City and Newport centers have met with representatives from the Confederated Tribes of Siletz Indians to help with recruitments within the tribe and offer tools and classes for clients also receiving Temporary Assistance for Needy Families (TANF). Quarterly visits to the tribe to provide these classes will restart in January 2021. Employees at WorkSource Lincoln City also conducted three workshops in January 2020 and February 2020 with members of the Confederated Tribes of Siletz Indians who also received TANF. Workshops were suspended due to COVID-19 restrictions, and we hope to restart these in the future.

During 2020, the Confederated Tribes of Siletz Indians (CTSI) worked with the Willamette Workforce Board, and with Employment Department management, to establish a part-time presence in two offices: WorkSource Albany and WorkSource Salem. Within a few months, CTSI management decided to handle their Salem outreach through their own Salem office rather than at WorkSource Salem. Because CTSI has no Albany office, they decided to maintain their part-time presence at WorkSource Albany. As is true for many partnerships during 2020, the COVID-19 pandemic has almost eliminated the ability to serve customers at WorkSource Oregon centers. This is a major setback after CTSI management had expressed hopes that more tribal members would take advantage of the opportunity to receive services at WorkSource Albany during 2020.

In terms of the three smaller offices in the Mid-Willamette Valley, WorkSource Polk in Dallas is the only one that has connected with a tribe, which in this case was the Confederated Tribes of Grande Ronde (CTGR). A tribal representative attended the bi-monthly meetings of the Polk Operations Team until the workforce board decided not to maintain local operations teams except for in Albany and Salem.

WorkSource Yamhill's Disabled Veterans Outreach Program specialist continued to strengthen his collaboration with the tribe's Employment & Training team. He is a member of the steering committee for their annual Veterans Summit and participates in the Annual Powwow in addition to occasional meetings that they invite him to throughout the year, as the tribe welcomes local non-Native American veterans to participate in the Veterans Summit.

At WorkSource Pendleton, we support the recruitment efforts of the Confederated Tribes of the Umatilla Indian Reservation, including the tribe's casino. We also work with the tribe's Vocational Rehabilitation representative, who participates in our Local Leadership Team. We are currently working through a communications plan to maintain more effective warm handoffs and referrals through the virtual services that have increased since the advent of the COVID-19 pandemic.

Similarly, our partnership with the Burns Paiute Tribe at WorkSource Burns involves listing a variety of mostly seasonal open positions and assisting members with unemployment insurance, career services, and training. Since the Burns Paiute Tribe's casino closed, our engagement has been less, particularly with business services. We anticipate that outreach to tribal members will be a priority as we focus on providing services to targeted populations in the coming months and years.

Our employees at WorkSource Redmond and WorkSource Madras have reached out to residents of the Confederated Tribes of the Warm Springs Indian Reservation to offer employment registration activities via phone as one option to accommodate customers that may not have reliable transportation. We have also worked closely with customers affected by the large layoff due to the closing of the Warm Springs Resort Kah-Nee-Ta. Our WorkSource employees have supported these customers by providing career coaching, training opportunities, scholarships, Trade Act program services, job readiness workshops, and work experience programs.

Before the onset of the COVID pandemic in March 2020, the Klamath Tribes used the WorkSource Klamath conference rooms weekly for Temporary Assistance for Needy Families (TANF) benefit distribution and conducting educational training and Direct Employment Assistance (DEA) training. Additionally, the Klamath Tribes leased a cubicle in our WorkSource Klamath center to have a representative from the Klamath Tribes visit two times a month and meet with tribal members at WorkSource. This arrangement also facilitated a warm handoff to WorkSource staff as needed. Representatives from the tribe participate in WorkSource Local Leadership Team Meetings and Stand Up meetings to discuss daily operations and regional workforce strategy, as well as to collaborate on serving mutual customers.

Workforce and Economic Research

Overview

We collect, estimate, analyze, publish, and distribute employment-related economic information to a variety of customers to help them in their decision-making. Oregon's tribal governments are among the agency's list of primary customers, as well as private businesses, people who are unemployed or otherwise seeking jobs, state and local workforce boards, elected officials and other policymakers, education and training entities, students, government agencies, and news media. Information from the agency helps customers

understand current and future workforce trends and economic conditions. We regularly post economic and workforce information on www.QualityInfo.org and www.OregonEmployment.blogspot.com.

2020 Activities and Initiatives

In 2020, we began publishing data about the number of American Indian and Alaska Native workers who are unemployed and receiving unemployment insurance benefits on our labor market information [website](#). We also publish weekly counts of American Indian and Alaska Native workers who are unemployed and file [initial claims for unemployment insurance benefits](#). Analysis of American Indian and Alaska Native unemployment in Oregon is part of our monthly report on unemployment insurance recipients. An example of a publication regarding tribes is provided in Appendix D.

Unemployment Insurance

Overview

The Employment Department administers unemployment insurance programs that provide temporary, partial wage replacement for workers who are unemployed through no fault of their own. The income provided to unemployed workers partially stabilizes the economy in local communities experiencing high unemployment during economic downturns. We also promote reemployment and the preservation of a trained, local workforce for businesses during economic downturns. We administer unemployment insurance benefits, such as federal extensions when they are available, and other specialized programs with partners that include other state agencies and the United States Department of Labor.

2020 Activities and Initiatives

From time to time, employees working for tribal governments and businesses in tribal areas need help when they are out of work through no fault of their own. Unemployment insurance provides a valuable safety net to provide economic stability for unemployed workers until they can become reemployed. In 2020, the agency provided similar services to the tribes as for other employers. Those services include receiving payroll reports and unemployment insurance contributions (tribes generally pay the actual costs for unemployment insurance benefits for their employees and former employees, rather than paying quarterly taxes), contact regarding information about people who have filed for unemployment insurance benefits, and assisting when businesses need to lay off employees.

Between October 1, 2019, and September 30, 2020, approximately 703,858 workers claimed unemployment insurance benefits through the Employment Department and received approximately \$5.2 billion in benefits. Workers could either file claims online or over the phone through an integrated contact center, which responded to approximately 555,100 calls during this time.

In addition to the regular array of unemployment insurance benefit programs, several additional benefit programs and benefit extensions went into effect between October 1, 2019, and September 30, 2020. Disaster Unemployment Insurance (DUA) was implemented on May 6, 2020, for the flooding in Umatilla County that occurred in the latter part of 2019. This program was enacted for Umatilla County and the Confederate Tribes of the Umatilla Indian Reservation. We also enacted DUA for counties impacted by the wildfires that occurred in September 2020 (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties). We implemented DUA for the wildfires beginning September 24, 2020.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act created three temporary unemployment insurance programs. The Federal Pandemic Unemployment Compensation (FPUC) program provided an additional \$600 weekly payment to eligible workers who were receiving unemployment insurance benefits. We began implementing this program in Oregon on April 10, 2020, and through its federally-scheduled expiration date of July 31, 2020. We began implementing the Pandemic Unemployment Assistance (PUA) program in Oregon beginning April 23, 2020. This program provided unemployment insurance benefits to workers whose employment was impacted by COVID-19 and who are not typically covered by unemployment insurance benefits, such as self-employed workers. Lastly, we implemented Pandemic Emergency Unemployment Compensation (PEUC) in Oregon beginning May 14, 2020. This extension program provided up to 13 additional weeks of unemployment insurance benefits. Per the federal CARES Act, both PUA and PEUC are scheduled to expire on December 26, 2020.

On June 30, 2020 due to the economic conditions resulting from the COVID-19 global pandemic and resulting recession, we began implementing the High Extended Benefits (HEB) program. This extension program provides an additional 13-20 weeks of benefits for workers that exhaust all weeks on their regular unemployment insurance claim. Additionally, the Lost Wages Assistance program was a Federal Emergency Management Agency (FEMA) program, which was enacted through a Presidential memorandum and was implemented by the Employment Department beginning September 29, 2020. This program provided six weeks of an additional \$300 for workers that were eligible to receive unemployment insurance benefits between July 26, 2020 and September 5, 2020.

Of those workers who filed claims between October 1, 2019, and September 30, 2020, 4,177 filed based on work with tribal governments or entities. Of those, 147 were separated from work with either a discharge or voluntary quit, which required the agency to make an eligibility determination. Of the 104 decisions issued, 49 allowed benefits and 55 denied benefits. Due to the unprecedented workload that has resulted from the COVID-19 global pandemic, 74 claims where a separation from work had been reported had not yet had an eligibility determination made at the time this report was written. During the COVID-19 pandemic, our acting director and tribal key contact made themselves directly available to tribal leaders in order to escalate any critical situations faced by their citizens or employees who had applied for unemployment benefits.

Members of the Unemployment Insurance management team had planned to attend tribal events throughout 2020. However, the COVID-19 global pandemic greatly hindered the agency's ability to follow through with those plans. The Unemployment Insurance Division remains committed to fostering collaboration with tribal governments, and the Unemployment Insurance Operations deputy director is scheduled to attend the 2020 Tribal Summit with our acting agency director. In 2021, we hope to continue attending tribal events and further increasing outreach to tribal communities.

Paid Family and Medical Leave Insurance

Overview

Oregon Revised Statutes chapter 657B was enacted in 2019, creating a Paid Family and Medical Leave Insurance (PFMLI) program to be administered by the Oregon Employment Department. The PFMLI program provides eligible individuals with compensated time off from work to care for and bond with a child during the first year of the child's birth or arrival through adoption or foster care; to provide care for a family member who has a serious health condition; to recover from an individual's own serious health condition; and to take leave related to domestic violence, stalking, sexual assault, or harassment (safe leave). The assessment on wages for contributions to the Paid Family and Medical Leave Insurance Fund, from which benefits and the costs of administering the program will be paid, will begin on Jan. 1, 2022. The payment of benefits to eligible workers will begin on Jan. 1, 2023.

2020 Activities and Initiatives

Our initial focus has been to recruit staff members to undertake planning, development, and program management activities. In addition, we have created an advisory committee to provide advice and recommendations concerning implementation and administration of the program and the promulgation of administrative rules. We have also formed a State Partners Team to engage state agencies and stakeholders who may also serve or support employees, employers, and other entities likely to be impacted by the PFMLI program.

In 2020, one of our primary objectives has been to create a comprehensive road map for implementing the PFMLI program within the statutory deadlines established by ORS chapter 657B. As part of the implementation process, we continue to conduct research and analysis to develop administrative rules and policies to support future operations of the program as well as performing analysis and forecasting to set a contributions rate and manage the PFMLI fund. We also continue to develop requirements and business processes, including those related to technology systems necessary for the collection of contributions to the PFMLI fund and the administration and payment of paid family and medical leave benefits. We are actively planning for public engagement and outreach to increase awareness of the PFMLI program, solicit input for administrative rules and policies, and inform employees and employers about program benefits and requirements.

Tribal governments may elect to be covered under ORS chapter 657B. We will provide a program overview and solicit feedback from tribal governments at the Economic Development and Community Services Cluster Meeting in November 2020. Following this meeting, we will reach out to tribal governments individually to consult with them concerning coverage, filing a notice of election, the collection of contributions, and other matters related to the PFMLI program as these processes are being developed. Our division director also is scheduled to attend the 2020 Tribal Summit with our acting agency director.

Modernization

Overview

The Modernization Program is an agency-wide initiative to transform agency business processes and core technology systems. This will include service delivery updates, business process re-engineering, and technical infrastructure solutions with the goal of “enhancing our customer’s experience” by providing improved services such as online self-service, automation, access to data, and integration with our partners. Our first project for the Modernization Program is the transformation of the unemployment insurance program, which is anticipated to continue through 2024. We will initiate additional projects as resources and capacity become available.

2020 Activities and Initiatives

The Unemployment Insurance Modernization Project Stakeholder Board kicked off in 2019 and includes representation from the Confederated Tribes of Siletz Indians. The purpose of the board is for the members to represent the practices, needs, and opportunities of their parent organizations, while identifying opportunities to better serve shared customers. In September 2020, the Modernization Program received legislative approval for the establishment of a permanent position that is focused primarily on the user experience. The program is planning significant public outreach in 2021 through this position to better understand tribal needs as they relate to working with a modernized unemployment insurance solution.

CULTURAL ITEMS SURVEY UPDATES

The Employment Department has not identified any additional tribal cultural items since our 2019 cultural items survey, and our records retention schedule remains the same. Two of our Portland-area WorkSource centers moved to new spaces in 2020, and we added three additional office locations as part of our COVID-19 pandemic response. The new office locations and their inventories are listed in Appendix E.

CONCLUSION

The Employment Department is proud to collaborate with Oregon’s federally recognized tribes and will continue building and growing relationships with these sovereign nations.

APPENDIX A – TRIBAL GOVERNMENT TO GOVERNMENT RELATIONS POLICY

Current Status: <i>Active</i>	PolicyStat ID: 4649843
	Origination: 12/2016
	Effective: 12/2016
	Last Approved: 12/2016
	Last Revised: 12/2016
	Next Review: 12/2019
	Owner: <i>Jeannine Beatrice: Deputy Director</i>
	Area: <i>General Administration - 0001-0100</i>
References:	

Tribal Government-to-Government Relations Policy - PO-0008

1. Purpose

The purpose of this policy is to establish the framework and guiding principles for the Oregon Employment Department's cooperation and relationship with Oregon's Indian tribes.

2. Definition

"Tribe" means a federally recognized Indian tribe in Oregon.

3. Application

This policy applies to all Oregon Employment Department employees.

4. Mission

The mission of the Oregon Employment Department is to Support Business and Promote Employment. We accomplish our mission by:

- Supporting economic stability for Oregonians and communities during times of unemployment through the payment of unemployment benefits;
- Serving businesses by recruiting and referring the best qualified applicants to jobs, and providing resources to diverse job seekers in support of their employment needs; and
- Developing and distributing quality workforce and economic information to promote informed decision making.

The Oregon Employment Department values its relationship with Oregon's tribes. The Department administers three employment-related programs - Unemployment Insurance,

Workforce Operations, and Workforce and Economic Research - that positively impact tribal organizations and tribal members.

5. Policy

It is the policy of the Oregon Employment Department to recognize and respect the culture, history, and traditions of Oregon's American Indians, and to cooperate and communicate with Oregon's tribal governments and members.

Tribal governments are separate sovereign nations with powers to protect the health, safety and welfare of their members and to govern their lands. This tribal sovereignty predates the existence of the U.S. government and the State of Oregon.

Oregon federally recognized tribal governments include: Burns Paiute Tribe; Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians; Coquille Indian Tribe; Cow Creek Band of Umpqua Tribe of Indians; Confederated Tribes of Grand Ronde Community; Klamath Tribes; Confederated Tribes of Siletz Indians; Confederated Tribes of the Umatilla Indian Reservation; and Confederated Tribes of Warm Springs Reservation of Oregon.

6. Responsibility

The Employment Department's Director has primary responsibility for issues and programs affecting the tribes. These programs include, but are not limited to, services to assist tribal members in finding employment and tribal companies in finding workers, as well as the provision of economic and workforce information to support the tribe's workforce and economic development efforts. The department also seeks opportunities to involve representatives of the tribes in advisory roles for the department and for Oregon's workforce system.

All members of the Employment Department's Executive Team are responsible for communicating and implementing this policy throughout their area of responsibility.

The Director:

- Notifies employees, by email or other means, of the provisions of Oregon Revised Statutes ([ORS](#)) [182.162- 182.168](#) and this policy during December of each year.
- Seeks input from representatives of Oregon's tribes as programs or policies that might impact the tribes are developed.
- Ensures that managers and employees who communicate or work with tribes receive training, annually, on the legal status of tribes, the legal rights of tribal members, and other issues of concern to tribes.
- Attends annual or more frequent meetings of state agency leaders and tribal leaders. Develops and submits an annual report on the activities of the Department relating to Indian tribes.
- Ensures compliance with relevant state and federal laws relating to relationships with Indian tribal entities.

The Executive Team:

- Communicates and partners with the tribes in a manner that fosters mutual respect and that seeks opportunities for collaboration.
- Promotes and improves government-to-government relations between the Employment Department and the tribes.

In the absence of the Director, or as delegated, these duties will be fulfilled by the Deputy Director or Legislative and Public Affairs Manager.

7. Agency Contacts

David Gerstenfeld, Acting Director - 503-947-1477

Teresa Rainey, Equity and Inclusion Officer - 503-586-9240

8. Resources

Map of Employment Department Services and Oregon Tribal Government Headquarters

Governor's Native American Indian Heritage Month Proclamation
Executive Order 96-30: State/Tribal Government to Government Relations

9. Approved:

Kay Erickson, Director

Attachments

[Governor's Native American Indian Heritage Month Proclamation](#)
[Map of Employment Department Services and Oregon Tribal Government Headquarters](#)

COPY

APPENDIX B – DIRECTOR’S ALL-STAFF EMAIL

From: ERICKSON Kay * OED
Sent: Monday, December 30, 2019 3:10 PM
Subject: Government to Government 2019 Annual Report and Tribal Government to Government Relations Policy
Attachments: EDPUB163_1219.pdf; adm30(1).pdf

Dear Employment Department Employees,

Every December, we produce a report for the Oregon Legislative Commission on Indian Services. The Commission is an advisory body of 13 tribal leaders and legislators created in 1975 to serve as a point of contact and forum for consideration of tribal-state issues. The report describes our programs and interactions with Oregon’s nine federally-recognized tribes over the course of the year.

Tribes occupy a unique space within our work. They are much more than employers or community stakeholders; as a matter of law, they are separate sovereign nations with powers to protect the health, safety and welfare of their members and to govern their lands. The Oregon Employment Department honors both the sovereignty of Oregon’s nine federally-recognized tribal governments and the right of every Native American in Oregon to receive services from our agency.

Attached is the *Government to Government 2019 Annual Report* that we submitted to the Legislative Commission on Indian Services. Please make time to read about some of our agency’s many accomplishments in 2019 and our plans to do even more in 2020. Thanks to the many people within the agency who provided the services that make the report possible and those that prepared the final document!

I’ve also attached for your review our *Tribal Government to Government Relations* policy that outlines our commitment to collaborating with Oregon’s tribal governments as sovereign nations located within the state of Oregon.

Finally, as the Employment Department’s primary liaison to the tribes, I would like to share with all employees every state agency’s responsibilities in working with tribes, as laid out in the *Oregon Revised Statutes (ORS) 182.162-182.168*:

“State agencies to develop and implement policy on relationship with tribes; cooperation with tribes.

1. A state agency shall develop and implement a policy that:
 - a. Identifies individuals in the state agency who are responsible for developing and implementing programs of the state agency that affect tribes.
 - b. Establishes a process to identify the programs of the state agency that affect tribes.
 - c. Promotes communication between the state agency and tribes.
 - d. Promotes positive government-to-government relations between the state and tribes.
 - e. Establishes a method for notifying employees of the state agency of the provisions of ORS 182.162 to 182.168 and the policy the state agency adopts under this section.

2. In the process of identifying and developing the programs of the state agency that affect tribes, a state agency shall include representatives designated by the tribes.
3. A state agency shall make a reasonable effort to cooperate with tribes in the development and implementation of programs of the state agency that affect tribes, including the use of agreements authorized by ORS 190.110.”

If you have any questions about how to consult with tribes in developing and implementing agency programs, please contact me or Teresa.L.Rainey@oregon.gov. Thank you for all you do in consultation with Oregon’s tribes and for all Oregonians and Oregon businesses. I look forward to what we will accomplish in 2020!

In gratitude,
Kay

Kay Erickson | Director | **Oregon Employment Department**
503-947-1477 | kay.erickson@oregon.gov
Pronouns: she, her

We envision an Oregon where meaningful work enables the state’s diverse people and businesses to realize their full potential, creating prosperity in every community

APPENDIX C – EQUITY AND INCLUSION COUNCIL’S ALL-STAFF EMAIL



Equity and Inclusion Council

October 14, 2019

In honor of Indigenous Peoples’ Day today, here are some resources for learning more about indigenous peoples and lands:

- [An interactive Native Land Map](#)
- [Websites for the nine federally recognized tribes of Oregon](#)
- [A video introduction of Oregon educators to Tribal history/shared history](#)

And don’t miss our [Hispanic Heritage Month celebration](#) this Thursday October 17!

Join us by livestream, conference line, or in-person at [WorkSource Beaverton/Hillsboro](#), where agency employees and guests will share information and personal reflections on Hispanic Heritage. [Register here!](#)

Sponsored by the Director, the Employment Department’s [Equity and Inclusion Council](#) is an employee group that provides a wide range of policy recommendations to the Executive Team and learning opportunities to the entire Employment Department. It envisions the Employment Department as a workplace where individual strengths are recognized and appreciated and all employees are encouraged to contribute. Please send your questions, feedback, and ideas for the council to Teresa.L.Rainey@oregon.gov.

The Oregon Employment Department fosters fairness, equity, and inclusion to maintain a workplace environment where everyone is treated with respect and dignity regardless of race, color, national origin, religion, sex, sexual orientation, gender identity, marital status, age, veteran status, disability, or status as a victim of domestic violence, harassment, sexual assault, or stalking. This policy applies to every aspect of our employment practices, including recruitment, hiring, retention, promotion, and training. A goal of the Oregon Employment Department is to become an employer of choice for individuals of all backgrounds and promote an inclusive workplace culture that encourages diversity and allows employees to excel.



Quality Information, Informed Choices

Labor Market Information

www.QualityInfo.org

January 2020

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Oregon Indian Tribal Gaming and Employment

In 1987, the U.S. Supreme Court affirmed the authority of tribal governments to establish gaming operations independent of state regulation, provided that the state in question permits some form of gaming. Congress took up the issue of tribal gaming and conducted a series of hearings, ultimately culminating in the passage of the Indian Gaming Regulatory Act of 1988 (IGRA).

The National Indian Gaming Commission (NIGC) – www.nigc.gov – is an independent federal regulatory agency of the United States that was established pursuant to the IGRA. The NIGC website provides a list of gaming tribes and reports on tribal gaming revenue. According to the NIGC, there are eight Indian casinos operating in Oregon.

Nationally, the Indian gaming industry has grown from one that produced \$5.5 billion in total revenues in 1995, to one that reached \$33.7 billion in 2018. Since 2014, the Indian gaming industry has experienced 4.3 percent growth annually. The most recent Indian gaming statistics, provided by the NIGC, indicate that in 2018 there were 520 Indian gaming establishments in the United States associated with 247 tribes across 29 states.

California and Northern Nevada alone generated \$9.3 billion in gaming revenues at 73 Indian gaming operations. In Alaska, Idaho, Oregon, and Washington, Indian tribes operated 55 gaming facilities and generated \$3.7 billion in revenues. Nationally, tribal gaming operations with revenues in excess of \$250 million accounted for 47 percent of Indian gaming revenue in 2018 but represented just 6.8 percent of gaming operations, numbering 34.

The contributions of Indian gaming to Oregon's economy were analyzed by ECONorthwest over 2012 and 2013. According to the report, Indian tribal gaming stimulated more than \$1.4 billion in total economic output statewide, supporting 11,510 jobs and \$237.1 million in wages and benefits. Grants and donations from Indian tribes to local charities totaled \$6.9 million in 2013.

Indian Gaming Facilities in Oregon

Each of Oregon's nine federally recognized tribes have operated a casino. The Cow Creek Band of Umpqua Indians was the first, opening Cow Creek Indian Bingo in 1992, which was

quickly expanded into Seven Feathers Casino. Five additional casinos were operating by the end of 1995:

- Wildhorse – Confederated Tribes of Umatilla
- Chinook Winds – Confederated Tribes of Siletz
- Indian Head – Confederated Tribes of Warm Springs
- The Mill – Coquille Indian Tribe
- Spirit Mountain – Confederated Tribes of the Grand Ronde

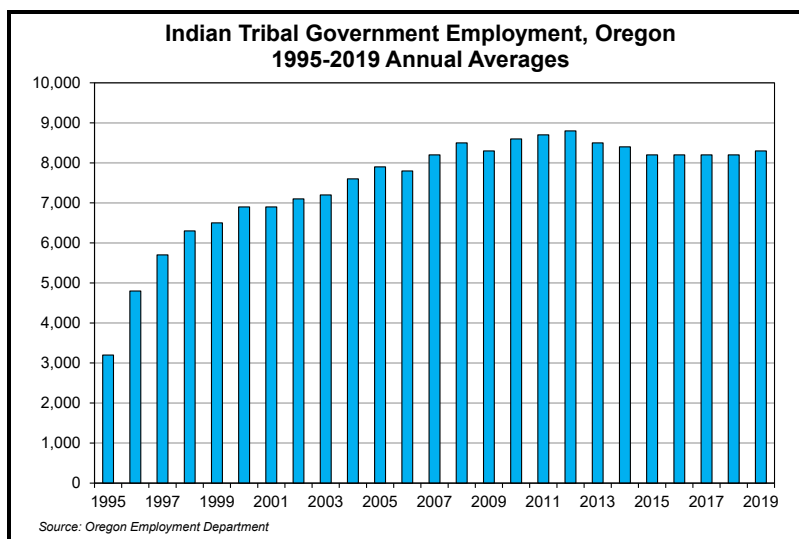
Kla-Mo-Ya Casino – operated by the Klamath Tribes – opened in 1997, followed by Old Camp Casino – operated by the Burns Paiute Tribe – in 1998. The Old Camp Casino closed in late 2012 and plans for a new facility were announced but have yet to materialize. Indian Head Casino changed its name to Kah-Nee-Ta High Desert Resort & Casino in February of 2001, but a new, expanded facility opened in 2012, reverting back to the Indian Head Casino title. Three Rivers Casino – operated by the Confederated Tribes of Coos, Lower Umpqua and Siuslaw – opened in 2004. An additional gaming facility, Three Rivers Casino-Coos Bay, opened in 2013.

Counties with Indian Tribal Government Employment in Oregon	
County	Resort/Casino Facility
Clackamas	
Coos	The Mill Casino & Three Rivers Casino
Douglas	Seven Feathers Casino Resort
Harney	Old Camp Casino (Temporarily Closed)
Hood River	
Jackson	
Jefferson	Indian Head Casino
Klamath	Kla-Mo-Ya Casino
Lane	Three Rivers Casino
Lincoln	Chinook Winds Casino
Marion	
Multnomah	
Polk	Spirit Mountain Casino
Umatilla	Wildhorse Gaming Resort and Casino
Wallowa	
Wasco	

In addition to the nine operating casinos, Oregon’s Indian tribal government employment is spread out across 16 counties. Casino gaming does dominate the employment profile of Indian tribal government, but there are also many other industries and activities that provide jobs.

Oregon’s Indian Tribal Employment Profile

The Indian tribal government employment series dates back to 1995 when it was moved out of private and into local government ownership. In its first year, the Indian tribal government series averaged 3,200 jobs. Although a comparative employment figure for 1994 isn’t available, Indian tribal government entered 1995 with just 2,200 jobs and by December its total reached 4,200, a gain of 2,000 jobs.

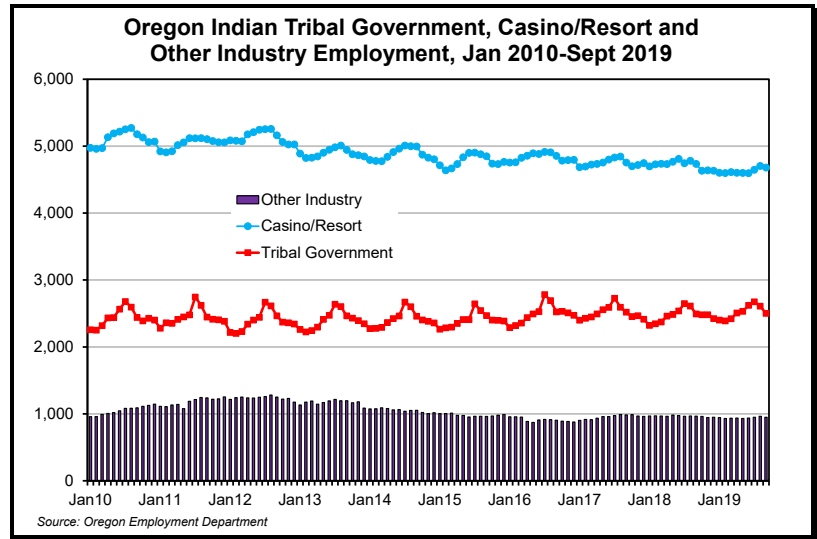


Indian tribal government averaged 6,300 workers in 1998, a gain of 3,100 or nearly 100 percent over its 1995 average. And the industry continued to grow, adding 2,500 jobs to average 8,800 in 2012, an increase of nearly 40 percent.

Beginning in 2013, however, Indian tribal government pulled back, falling to 8,200 jobs in 2015 and holding steady from 2016 to 2018.

Employment rose slightly in 2019, climbing by 100 jobs to average 8,300, Indian tribal government's first gain since 2012.

On the payroll side, Indian tribal government shelled out \$324.4 million in 2018 wages and salaries, a new peak. On average, Indian tribal jobs paid \$40,638 in 2018.



Indian tribal governments in Oregon operated 85 employer units (2019-Q1) in the 15 counties shown in the table. Public administration, which typically represents government administrative functions, provided 31 percent of the industry's jobs.

Outside government administrative work and resort and casino employment, about 12 percent of Indian tribal government jobs were found in industries that include agriculture, utilities, construction, manufacturing, retail trade, information, financial activities, professional and business services, educational and health services, and other services. The amusement, gambling and recreation sector and casino hotels (resort and casino) held close to 60 percent (57.3%) of the Indian tribal government employment.

APPENDIX E – EMPLOYMENT DEPARTMENT OFFICE INVENTORY UPDATES

NEW OFFICE NAME AND ADDRESS	ITEM DESCRIPTION	LOCATION IN OFFICE AND ADDITIONAL DETAILS
WorkSource Portland Metro Tigard 11950 SW Garden PI Suite 100 Tigard, OR 97223 Year Built: unknown Owned Building: no	Program records related to Wagner-Peyser, Workforce Investment Act, Workforce Investment Opportunity Act (WIOA) and Supplemental Employment Department Administration Fund (SEDAF) Funded Workforce Activities	Employees may retain paper resumes/ program information for customers. This is located in a locked file at their desk. Office supplies are kept in a central storage room
WorkSource Portland Metro Gresham 18633 SE Stark Street Suite 201 Gresham, OR 97233 Year Built: 2019 Owned Building: no	Program records related to Wagner-Peyser, Workforce Investment Act, Workforce Investment Opportunity Act (WIOA) and Supplemental Employment Department Administration Fund (SEDAF) Funded Workforce Activities	Employees may retain paper resumes/ program information for customers. This is located in a locked file at their desk. Office supplies are kept in a central storage room
Wilsonville Contact Center Confidential location in Wilsonville, OR Year Built: unknown Owned Building: no	N/A	Various storage areas including cabinets around the building are used for office supplies and state property
North Valley Contact Center Confidential location in Wilsonville, OR Year Built: unknown Owned Building: no	N/A	Storage cabinets for office supplies only
Department of Revenue 955 Center Street, NE Salem, OR 97301 Year Built: 1981 Owned Location: no	N/A	Storage cabinets for office supplies only



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Employment.Oregon.gov
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