INTRODUCTION

The Oregon Employment Department is honored to share our 2021 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 both 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

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 a quality workforce and economic information to promote informed decision-making.
- Provide easily accessible Paid Family and Medical Leave Insurance benefits that help Oregon employers and workers maintain
  quality of life, economic stability, and peace of mind.

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.
November 2021
Oregon Employment Department Service Locations
Tribal Government Headquarters in Oregon and
Confederated Tribes
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@employ.oregon.gov
Teresa Rainey, Equity and Inclusion Officer, 503-586-9240 or Teresa.L.Rainey@employ.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 provide services to help tribal members find employment and tribal businesses find workers, administer unemployment insurance programs, and provide economic and workforce information to support the Tribes' workforce and economic development efforts, among other services. Our acting director seeks input from representatives of Oregon's Tribes in developing programs or policies that may impact the Tribes, such as the upcoming Paid Family and Medical Leave Insurance program and temporary unemployment insurance benefits programs in response to the COVID-19 pandemic. He attended the annual Tribal Summit in 2020 and has invited the agency's Executive Team to attend with him in 2021.

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 has notified all agency employees by email of the provisions of Oregon Revised Statutes (ORS) 182.162-182.168 (see Appendix B for the email sent in early 2021).

THE EXECUTIVE TEAM

All members of our Executive Team are responsible for communicating and implementing the agency's policy throughout their areas of responsibility. The Executive Team, led by the acting director, is committed to communicating and collaborating with the Tribes to foster mutual respect, 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 partner with Tribes to achieve our mission in a way that honors our commitment to foster mutual respect and collaboration.
EQUITY AND INCLUSION OFFICER

Overview

Our Equity and Inclusion Officer chairs the Equity and Inclusion Council, which is an internal employee group that provides a wide range of policy recommendations to the Executive Team and learning opportunities to the entire agency. The Equity and Inclusion Officer also 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.

2021 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, including 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 online in December 2020). Our Equity and Inclusion Officer also serves as the agency’s cultural items liaison and periodically requests updates on office locations and inventories.

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, by identifying, screening, and referring job applicants to employers. We also assist businesses in securing federal tax credits and are able to offset 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 readiness of job 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.

2021 Activities and Initiatives

Partnerships between the Employment Department and Oregon’s federally recognized Tribes occur at WorkSource Oregon centers located 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.
Three Rivers Casino is also notified of all WorkSource job fairs and invited to participate. 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 Tribe’s job listings. Worksource staff will also continue doing strategy development to initiate interest with participation and recruitment efforts.

Employees from WorkSource Lincoln City have been in contact 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).

Leadership at WorkSource Albany continues to meet with a representative from the Confederated Tribes of Siletz Indians at monthly meetings of the Willamette Workforce Partnership.

The Marion-Polk-Yamhill Veteran’s Program maintains regular contact with the Veterans’ Service Officer for the Confederated Tribes of the Grand Ronde through the local Vet Net, which is a monthly networking meeting facilitated by WorkSource Yamhill, and we are always looking for opportunities to collaborate. WorkSource Yamhill business services team invited the Confederated Tribes of Grand Ronde to various job fairs and events throughout the year. They also assist with recruitments as requested.

At WorkSource Pendleton, we currently partner with Confederated Tribes of Umatilla Indian Reservation and collaborate in partner meetings organized by the Eastern Oregon Workforce Board. We post their job listings through iMatchSKills and send interested candidates to hiring contacts. We also work with the Tribe’s Housing Authority and provide them with verification of unemployment insurance benefits to determine eligibility for low-income housing.

During the year, staff at WorkSource Burns assisted the Burns Paiute Tribe with listing many positions, including Police Chief, General Manager, and Human Resources Manager, as well as many support and seasonal jobs openings. Additionally, members were assisted with unemployment insurance questions. WorkSource Burns staff also attend community meetings to build awareness within the area for the services offered in the center. The Burns Paiute Tribe is represented at these meetings.

At WorkSource The Dalles, Business & Employment Specialists have assisted members of the Confederated Tribes of Warm Springs with job search activities. Our migrant and seasonal farmworker representatives also attend community meetings in our 5-county region where tribal outreach is discussed.

WorkSource Klamath makes a drop-in cubicle available to the Education and Employment Department of the Klamath Tribes so that representatives can meet with tribal members as needed for them to provide employment and employment training services and to facilitate coordination with local WorkSource Klamath staff. WorkSource Klamath is once again able to provide scheduled conference rooms to be utilized as needed by the Klamath Tribes for Temporary Assistance for Needy Families (TANF) benefit distribution and conducting Education & Employment Direct Employment Assistance (DEA) training. Additionally, WorkSource Klamath assists Klamath tribal members by providing needed wage statements for members so that they can use these statements to qualify for various forms of assistance. WorkSource Klamath is also available to assist with job search, resume assistance, virtual workshops, and lobby computers.

An upcoming pilot program related to the Workforce Operations Trade Act program may also be of interest to the Tribes. Trade Act programs help workers who have become unemployed due to increased imports from, or shifts in production to, foreign countries. While job loss due to foreign trade is devastating to both individuals and communities, trade-related layoffs may have a more significant impact on historically underserved communities. The Oregon Trade Act program has identified that barriers to employment for underserved communities in our state are often related to a lack of technology access. For example, an inability to afford a laptop or internet connection or gain computer skills can prevent individuals from historically and currently underserved communities from reentering the workforce.
Our Trade Act program has proposed that the Department of Labor-Office of Trade Adjustment Assistance (DOL-OTAA) in coordination with the Regional Office’s sponsor the Technology for Underserved Communities Pilot Program. The pilot will include the Trade Act Program providing a technology package to eligible trade-affected workers from historically and currently underserved communities and tracking how the technology package affects their employment outcomes. Oregon will present its findings to DOL and other TAA programs upon request. The pilot intends to align with the definition of historically and currently underserved communities listed in the State of Oregon Equity Framework in COVID-19 Response and Recovery, which includes Native Americans, members of Oregon’s nine federally-recognized Tribes, American Indians, and Alaska Natives, as we believe this definition is specifically tailored to the communities that the Trade Act program serves.

Our Trade Act program has found that in rural areas there is a lack of basic computer skills, adequate technology, and internet access among its customers. We believe that the best way to meet the diverse needs of historically and currently underserved communities is to provide them with the full digital inclusion, which may be necessary to support modern job search needs. Our Trade Act Program will conduct a two-year pilot to provide the technology solutions to underserved populations to gain sustainable employment, and improve upon job search, engagement with Trade Act case management, and potential entry into virtual employment opportunities. The pilot will provide equitable technology access to minorities and underserved populations, economically and technically disadvantaged communities, and those in rural areas living in technology deserts.

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.

2021 Activities and Initiatives

In 2020, as part of our efforts to increase information due to the COVID-19 emergency, 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, and continued to do that for all of 2021. We have also continued to 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 C.

Unemployment Insurance

Overview

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 2021, 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 Oct. 1, 2020, and Sept. 30, 2021, approximately 630,000 workers claimed unemployment insurance benefits through the Oregon Employment Department and were paid approximately $6.3 billion in benefits. Workers could either file claims online or over the phone through an integrated contact center, which responded to approximately 786,300 calls during this time.

In addition to the regular array of unemployment insurance benefit programs, several additional benefit programs and benefit extensions were available between October 1, 2020, and September 30, 2021. We also continued to operate DUA for counties impacted by the wildfires that occurred in September 2020 (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties).

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 weekly payment to eligible workers who were receiving unemployment insurance benefits. We began implementing this program in Oregon on April 10, 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. These programs were extended and modified on December 27, 2020 by the Continued Assistance Act and extended again on March 6, 2021 by the American Rescue Plan Act. The FPUC, PUA, and PEUC programs ended the week of Sept. 4, 2021.

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. Due to a reduction in unemployment rates, HEB was discontinued on Dec. 12, 2020 and Extended Benefits (EB) were implemented, but later discontinued on February 20, 2021, due to a further reduction in unemployment rates.

Of the workers who filed claims between Oct. 1, 2020, and Sept. 30, 2021, 429 filed based on work with tribal governments or entities. Of those, 200 workers were separated from work with either a discharge or voluntary quit that required the agency to review the separation and make an eligibility determination. Of the 141 decisions issued, 82 allowed benefits and 59 denied benefits.

Members of the Unemployment Insurance management team had planned to attend tribal events throughout 2020 and 2021. 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 partnerships with tribal governments, and the Unemployment Insurance Division Deputy for Operations and Policy attended the 2020 Tribal Summit with our Acting Agency Director. Our Acting Agency Director and Equity and Inclusion Officer also provided their direct contact information to representatives from the nine federally-recognized Tribes in Oregon so that they could be contacted by any tribal members who had questions or concerns about unemployment insurance benefits during the COVID-19 pandemic, and we were able to promptly respond to all concerns that they received. In 2022, we hope to continue attending Tribal events, further increasing outreach to Tribal communities, and encouraging team members to attend internal and external trainings, seminars, and events related to the Tribes.
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 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 PFMLI Fund, from which benefits and the costs of administering the program will be paid, will begin on January 1, 2023. The payment of benefits to eligible workers will begin in September 2023.

2021 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 the 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 serve or support employees, employers, and other entities likely to be impacted by the PFMLI program.

Under ORS Chapter 657B, tribal governments may elect to participate in the PFMLI program. On Nov. 20, 2020, the Acting Director of the Oregon Employment Department, David Gerstenfeld, and Acting Director of the Paid Family and Medical Leave Insurance Division (PFMLI), Gerhard Taeubel, presented at the Tribal Economic Development and Community Services Cluster meeting. The purpose of the agency’s presentation was to provide an overview of the PFMLI program, solicit feedback, and notify the Tribes that the division would be reaching out to meet with the Tribal Chairs or their designees in the coming months.

Between December 2020 and April 2021, PFMLI staff conducted meetings with tribal government’s human resource departments to provide an overview presentation of the PFMLI program, answer questions, address concerns, gauge interest in providing input on the program, and learn about how the individual Tribes currently navigate leave for their employees. See the table below for the schedule of meetings:

The PFMLI Division has met with five of Oregon’s nine federally recognized Tribes and is currently working on meeting with the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Confederated Tribes of Siletz, Confederated Tribes of Warm Springs, and Klamath Tribes.

The division’s goal is to engage in a formal consultation for tribal governments, ensuring tribal government access to PFMLI for their tribal employees. We are working with each Tribe to determine their current benefits and leave plans, number of employees, and total payroll. Understanding each Tribe’s structure will help us to prepare the necessary materials to engage in consultation. We greatly value the government-to-government relationship and want to ensure Tribes have the opportunity to participate in to the PFMLI program if they so choose, and in the manner that best fits their particular government’s employee needs.

In 2021, we have continued to develop 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 continually analyzing and forecasting to set a contributions rate and manage the PFMLI fund. We also continue to develop requirements and processes for the business community, including technology systems necessary for the collection of contributions to the PFMLI fund and for 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, inform employees and employers about program benefits and requirements, and have contracted with a communications vendor to assist us in these efforts.
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.

2021 Activities and Initiatives

In 2021, agency executives and the Modernization Executive Steering Committee made the decision to add the technology supporting the new Paid Family and Medical Leave Insurance contributions and benefits payment to the scope of the Modernization project. The Confederated Tribes of Siletz Indians representative continued to participate on our Stakeholder Board representing the practices and needs of their organization while identifying opportunities to better serve shared customers. A user experience position was added to the Modernization team and they worked with the team to complete the plan and preparations for continued stakeholder engagement as the project continues.

2022 Activities and Initiatives

Our commitment to engaging a broad spectrum of stakeholders during our Modernization project includes a commitment to communication and engagement with tribal governments and businesses. Over the coming year, we will be inviting participation and feedback in several targeted ways. Early in 2022, tribal government and employer representatives will be invited to participate in a survey campaign asking questions related to their experiences and seeking to better understand their specific needs. The surveys will be followed by focus group opportunities that will give participants the opportunity to see what the new system, called Frances, looks like and give feedback on functionality and application. Finally, before the new system rolls out, tribal representatives will be invited to participate in a “sandbox” environment, giving them hands-on practice and experience.
CULTURAL ITEMS SURVEY UPDATES
The Oregon Employment Department has not identified any additional tribal cultural items since our 2019 cultural items survey, and our records retention schedule remains the same. One of our Portland-area offices closed, which is listed in Appendix D.

CONCLUSION
The Oregon Employment Department is proud to collaborate with Oregon’s federally recognized Tribes and will continue building and growing relationships with these sovereign nations.
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
9. Approved:
Kay Erickson, Director

Attachments

Governor’s Native American Indian Heritage Month Proclamation
Map of Employment Department Services and Oregon Tribal Government Headquarters
Dear Employment Department Colleagues,

Please take some time to review our attached Government to Government 2020 Annual Report, which is an annual report that all state agencies submit to the Legislative Commission on Indian Services (LCIS). LCIS 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 from October 1, 2019, through September 30, 2020.

Although there are too many people to list by name, I would like to acknowledge and thank the agency employees who helped prepare this report, as well as all employees who have assisted tribal governments and tribal members this last year. Thank you!

Please also review our attached 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. I would also like to share with you the following responsibilities for state agencies in working with Tribes, as laid out in the Oregon Revised Statutes 182.162 to 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.

Continues on page 13
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 that could affect Tribes, please contact me or Teresa.L.Rainey@oregon.gov. Thank you again for all you do in consultation with Oregon’s Tribes and for all Oregonians and Oregon businesses.

David

David Gerstenfeld  |  Acting Director  |  Oregon Employment Department
503-947-1477  |  david.k.gerstenfeld@oregon.gov
Pronouns: he, him

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
Oregon Indian Tribal Gaming and Employment

October 13, 2021  
by Dallas Fridley

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 fiscal year (FY) 1995, to one that reached $34.6 billion in FY 2019. Between 2014 and 2019, the Indian gaming industry experienced 4.1% growth annually. The most recent Indian gaming statistics, provided by the NIGC, indicate that in FY 2020 there were 524 Indian gaming establishments in the United States associated with 248 tribes across 29 states. Gaming industry revenue fell to $27.8 billion in FY 2020, a loss of 19.5% or $6.7 billion.

California and Northern Nevada alone generated $9.7 billion in FY 2019, with 76 Indian gaming operations reporting gaming revenues. In FY 2020, gaming revenues in California and Northern Nevada dropped to $8.4 billion (-13.2%). In the Portland region, which includes Alaska, Idaho, Oregon, and Washington, Indian tribes operated 57 gaming facilities and generated $3.8 billion in FY 2019. Gaming revenues in the Portland region fell to $3.1 billion in FY 2020, a drop of 18.3%. Nationally, tribal gaming operations with revenues of $250 million and over accounted for 45.2% of Indian gaming revenue in FY 2019 but represented just 6.3% of gaming operations, numbering 33. Only 22 gaming operations produced revenues of $250 million and over in FY 2020.

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:

Continues on page 15
- 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


### Counties with Indian Tribal Government Employment in Oregon

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<thead>
<tr>
<th>County</th>
<th>Resort/Casino Facility</th>
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<tbody>
<tr>
<td>Clackamas</td>
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<tr>
<td>Coos</td>
<td>The Mill Casino &amp; Three Rivers Casino</td>
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<tr>
<td>Douglas</td>
<td>Seven Feathers Casino Resort</td>
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<td>Harney</td>
<td>Old Camp Casino (Temporarily Closed)</td>
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<td>Hood River</td>
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<td>Jackson</td>
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<td>Jefferson</td>
<td>Indian Head Casino</td>
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<td>Klamath</td>
<td>Kla-Mo-Ya Casino</td>
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<td>Three Rivers Casino</td>
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<tr>
<td>Polk</td>
<td>Spirit Mountain Casino</td>
</tr>
<tr>
<td>Umatilla</td>
<td>Wildhorse Gaming Resort and Casino</td>
</tr>
<tr>
<td>Wallowa</td>
<td></td>
</tr>
<tr>
<td>Wasco</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td></td>
</tr>
</tbody>
</table>

In addition to the nine operating casinos, Oregon’s Indian tribal government employment is spread out across 17 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% 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%.

Indian Tribal Government Employment, Oregon 1995-2020 Annual Averages & 2021 Year to Date

Beginning in 2013, however, Indian tribal government pulled back, falling to 8,200 jobs in 2015 and holding steady from 2016 to 2018. Employment fell slightly in 2019, dropping by 100 jobs to average 8,100, Indian tribal government’s lowest employment total since 2006. On the payroll side, Indian tribal government reached a record $348.3 million in 2019 payrolls, a new peak, while annual wages averaged $43,029.

COVID-19 job losses hit Indian tribal government in 2020, resulting in the loss of 500 jobs. Payrolls also fell in 2020 – by about 2.3% or $8.1 million – but the average wage actually rose to $45,123. Through the first nine months of 2021, Indian tribal government averaged 7,600 jobs, matching its 2020 annual average. Indian tribal government gained 700 jobs since January 2021 to reach 7,900 in August; an over-the-year increase of 400 jobs or 5%.

Indian tribal governments in Oregon operated 81 employer units in 2020, covering the 17 counties shown in the table. Public administration, which typically represents government administrative functions, provided 32% of the industry’s jobs.
Outside government administrative work and resort and casino employment, about 12% 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 56% of Oregon’s 2020 Indian tribal government employment.
## Appendix E – Employment Department Office Inventory Updates

<table>
<thead>
<tr>
<th>Discontinued Office Name and Address</th>
<th>Item Description</th>
<th>Location in Office and Additional Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Valley Contact Center</td>
<td>N/A</td>
<td>Storage cabinets for office supplies only</td>
</tr>
<tr>
<td>Confidential location in Wilsonville, OR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year Built: unknown</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owned Building: no</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The Oregon Employment Department is an equal opportunity agency. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance is available to persons with limited English proficiency at no cost.

El Departamento de Empleo de Oregon es una agencia que respeta la igualdad de oportunidades. Disponemos de servicios o ayudas auxiliares, formatos alternos y asistencia de idiomas para personas con discapacidades o conocimiento limitado del inglés, a pedido y sin costo.

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