

Chapter 2 - Employment Practices

1. General Employment Practices Policy

The Pueblo of Laguna will practice employment preference in accordance with Pueblo of Laguna laws, applicable federal laws and applicable state laws, and grant/contract/funding source requirements or regulations. Individuals interested in seeking employment with the Pueblo of Laguna will be considered eligible in accordance with approved employment practice policies and applicable requirements.

Consistent with the principles of Indian Self-Determination, the following policies shall apply:

2. Equal Employment Statement

The Pueblo of Laguna shall comply with all applicable laws that govern the employment relationship between the Pueblo and its employees. Consistent with the provisions of applicable laws and policies, the Pueblo of Laguna will not discriminate against any applicant or employee in recruitment, appointment, training, promotion, retention, or any other personnel action because of political or religious opinions or affiliations, or because of race, color, creed, sex, age, physical handicap, religion, national origin, disability, or sexual orientation. Exceptions include a disabling condition that would prevent an individual from performing a required task associated with a particular position. Disabled individuals meeting minimum qualifications are eligible for employment with the Pueblo of Laguna on the same basis as non-disabled individuals.

3. Laguna Preference/Indian Preference

The 1964 Civil Rights Act VII (42 USC 2000e2(i)), allows private and governmental employers on or near a Federal Trust Indian Reservation to exercise Indian Preference in employment. It is the policy of the Pueblo of Laguna to give preference to any qualified person who is enrolled as a member of a federally recognized tribe. In accordance with the sovereign powers to regulate activities within its jurisdiction, the Pueblo of Laguna affords preference in hiring and promoting in the following manner:

A. Positions approved as Non-Exempt Status:

- 1) First Preference: Any applicant, who is a member of the Pueblo of Laguna, meets the minimum qualifications as identified in the job description and in accordance with the provisions of Chapter 3, Recruitment and Selection;
- 2) Second Preference: Any applicant, who is a naturalized member of the Pueblo of Laguna, meets the minimum qualifications as identified in the job description and in accordance with the provisions of Chapter 3, Recruitment and Selection;
- 3) Third Preference: Any applicant, who can provide documented evidence of membership within a federally recognized Tribe/Pueblo/Nation, meets the minimum qualifications as identified in the job description and in accordance with the provisions of Chapter 3, Recruitment and Selection; and

4) Fourth Preference: All other applicants that meet the minimum qualifications as identified in the job description and in accordance with the provisions of Chapter 3, Recruitment and Selection.

B. Positions approved as Exempt Status:

- 1) First Preference: Any applicant whose qualifications meet or exceed the minimum qualifications as identified in the job description and in accordance with the provisions of Chapter 3, Recruitment and Selection; and
- 2) In the event an applicant who is a member of the Pueblo of Laguna, as defined in this policy, and is determined to be equally qualified as the most qualified applicant interviewed, preference will be afforded to the Pueblo of Laguna member over all other applicants that are not members of the Pueblo of Laguna.