

# Employment Rights Office works for Native hire

*The article by Bruce Day explains that Alaska Natives and American Indians have special and unique employment rights.*

Within the past decades, Alaska Natives and American Indians in the United States have taken tremendous strides in the identifying and protecting the rights and resources of their people. This same effective advocacy must also be brought to the protection and assertion of Alaska Natives and American Indian Employment Rights. The Employment Rights/Labour Relations program will indeed compliment the existing AVCP Employment Assistance/Adult Vocational Training activities and ultimately develop powerful employment rights for Alaska Natives and Indians, which they are entitled to. It will be through the efforts of the Labour Relations program that these rights will increase the employment of Alaska Natives and Indians people in private jobs within the AVCP/Calista Region.

Like land, water, and minerals, jobs in the private employment sector within the AVCP/Calista Region are an impor-

tant resource for the Alaska Natives, people, and we must also use our legal rights to obtain the rightful share of them as they become available. Alaska Natives and American Indians have unique and special employment rights which must be recognized as set forth under Public Law 93-638 (Indian Self-Determination and Education Assistance Act) Section 7(b). In addition, as citizens of the United States, they are entitled to protection under many anti-discrimination laws that Congress has adopted over the past ten years. These sets of rights give them the power to claim a very large share of private jobs within the AVCP/Calista Region recognized regional boundaries. But as in the past, in the case of natural resources, Alaska Natives employment rights had not been protected and non-Natives have benefited from thousands of jobs that could have and should have gone to Native people.

The concept of regionally imposed

preference requirements is not new, but they have generally been ineffective in substantially increasing Alaska Natives employment. In the past, requirements were vague and general and employers and their unions found too many ways around them. They hired only a token number of Alaska Natives, and then claimed that this satisfied their Alaska Native preference obligation. They added extraneous qualification criteria, and then claimed that the Alaska Natives were not qualified. They argued that Alaska Natives did not apply or that they searched for but could not locate qualified Alaska Natives.

A comprehensive and closely monitored program can close these loop holes. This means that the preference requirement will be defined in specific terms so that the employer know what is expected of him, and the Employment Rights Office within the AVCP/Calista Region can quickly tell if an employer is meeting

his obligation. The requirements must deal realistically with the kinds of work available throughout the region, so that the employer does not feel that impossible objectives have been set for him.

There is an exciting range of techniques which the Employment Rights Office can implement or put some teeth into local Alaska Native preference requirements. To stop the token hiring of Alaska Natives they can tell each village employer the specific minimum number of Alaska Natives the employer must hire in each job then 20 out of the 30 carpenter slots on your construction project must be filled by Alaska Natives. Because the Employment Rights officer has set these numbers after surveying available Alaska Native work force, he knows that 20 Native carpenters really are available for work. His requirements are realistic and he has then necessary data to quickly disprove any excuses that, "no qualified Alaska Natives are available."