

INAERP RELATED REGULATIONS

Work on or near Indian reservations

41 C.F.R. 60-1.5(a)(7)

Work on or near Indian reservations. It shall not be a violation of the equal opportunity clause for a construction or nonconstruction contractor to extend a publicly announced preference in employment to Indians living on or near an Indian reservation in connection with employment opportunities on or near an Indian reservation. The use of the word “near” would include all that area where a person seeking employment could reasonably be expected to commute to and from in the course of a work day. Contractors or subcontractors extending such a preference shall not, however, discriminate among Indians on the basis of religion, sex, or tribal affiliation, and the use of such a preference shall not excuse a contractor from complying with the other requirements contained in this chapter.

Placement Goals

41 C.F.R. 60-2.16(f)

A contractor extending a publicly announced preference for American Indians as is authorized in 41 CFR 60-1.5(a)(6)* may reflect in its placement goals the permissive employment preference for American Indians living on or near an Indian reservation.

*The correct regulatory citation is 41 CFR 60-1.5(a)(7) based on the most recent revision on September 30, 2003

Uniform Guidelines on Employee Selection Procedures (UGESP Scope)

41 C.F.R. 60-3.2E

Indian preference not affected. These guidelines do not restrict any obligation imposed or right granted by Federal law to users to extend a preference in employment to Indians living on or near an Indian reservation in connection with employment opportunities on or near an Indian reservation.



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