

CURRICULUM

PART I: Introduction

PART II: Tribal Leadership Authority as Employer: Sovereignty/Sovereign Immunity

- Sovereignty/sovereign immunity generally
- What limitations/opportunities has leadership placed on its own authority
- Tribal government authority in employment – The outside limitations on Tribal leadership power in employment
 - State law
 - Federal law
- Tribal sovereign immunity from suit by individuals and states, but not the United States. Waiver of sovereign immunity by a Tribe – When, if ever?
- Human Resources role in employment
- What sovereignty and sovereign immunity means regarding establishing HR rules

PART III: Assessing and Creating Goals as Employer

Every Tribe has employment rules. The fact is that rules are fairly easy to come by, but rules that are tied to Tribal Goals are more meaningful, more likely to be followed, and more likely to reflect the real values of the Tribe. The issue is what are the Tribe's goals for its enterprises, clinics, government and what role does HR have in such goal setting?

Does Leadership have employment related goals for its government, enterprises, and programs – individually or collectively?

- Are those goals memorialized?
- What role does HR have in advising on such goals?
- Do the Tribes current rules/laws fit its goals?

PART IV: Rules for Employment

What rights should employees have? What is the best process for assessing and determining the scope of employee rights? Does the Tribe's policies/rules/laws meet its express goals? What is HR's role in advising Leadership on the review/creation of employment rules?

- What rights should employees have?
- Discrimination – What should leadership include? The role of preference.
- What is the role of HR in advising on such rules?
- What is an effective rule creating process that ensures buy-in?