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**SOUTHWEST REGION  
TRIBAL EMPLOYMENT RIGHTS ORGANIZATION  
BY-LAWS**

[Note: Amendments to Southwest Region TERO Adopted April 25, 1997; Amendments to Southwest TERO Adopted July 08, 2010]

**Article I**

**General**

(Amended 07/08/2010)

Section 1: The official name, mission statement and statement of purpose shall remain consistent with Article I, II, III of the Southwest Region Tribal Employment Rights Organization (SWRTERO) Constitution and any amendments thereof. Additionally, the By-Laws shall be the procedural guide utilized by the organization in carrying out its appointed duties and responsibilities.

(Amended 07/08/2010)

Section 2. The official seal or insignia of the organization shall be affixed to all official documents and/or correspondence of the organization to authenticate actions thereof. The official seal shall be the property of the organization with the SWRTERO solely responsible for its application. The official seal or insignia shall not be utilized for personal use.

(Amended 07/08/2010)

Section 3. The current edition of Robert's Rules of Order (newly revised) shall be the final source of authority in all questions of parliamentary procedures when rules are not in consistent with the By-Laws of the organization. However, where the Rules are not consistent with the Constitution and By-Laws of the organization, the By-Laws and Constitution shall prevail.

(Amended 07/08/2010)

Section 4. The purpose of the SWRTERO shall be to secure resources for training and conferences and shall remain consistent with Article III of the Constitution.

## Article II

### Organization

Section 1. The Organizational Chart and Directory shall be maintained and utilized as a guide to protocol in organization, information management, authority, and responsibility flow.

(Amended 07/08/2010)

Section 2. The SWRTERO shall be the decision and policy making body for the organization with the Executive Officers responsible to the organization for policy and program implementation. The duties and responsibilities shall be as follows:

#### Chairperson:

(Amended 07/08/2010)

The SWRTERO Chairperson shall be the Executive Officer of the organization and responsible for its affairs and property. The Chairperson shall preside at all meetings and maintain consistent attendance at all meetings arranged by the SWRTERO. Absence from two (2) consecutive meetings, be it a regularly scheduled, special, or Ad hoc Committee meeting, shall automatically be brought before the body for serious consideration and appropriate action shall be taken by a unanimous vote of the attending quorum.

(Amended 07/08/2010)

The Chairperson shall perform all duties incident to the Office and duly authorized by the SWRTERO in the name of the organization. On behalf of the SWRTERO, the Chairperson shall sign and execute grant applications, proposals, contracts, modifications, checks and reports, except where the signing and execution thereof is expressly delegated by the organization or these By-Laws to another elected officer or an appointed personnel.

#### Vice-Chairperson:

(Amended 07/08/2010)

The Vice-Chairperson shall preside in the absence or disability of the Chairperson or by express order of the SWRTERO. He/She shall perform all duties of the Chairperson and have all authority and responsibility when so acting, unless otherwise limited or expanded by the SWRTERO.

(Amended 07/08/2010)

The Vice-Chairperson shall maintain consistent attendance at all meetings arranged by the SWRTERO. Absence from two (2) consecutive meetings be it a regularly scheduled, special, or Ad hoc Committee meeting, shall automatically be brought before the body

for serious consideration and appropriate action shall be taken by a unanimous vote of the attending quorum.

**Treasurer:**

(Amended 07/08/2010)

The Treasurer shall be responsible for the financial management of SWRTERO and shall sign and execute payment of expenditures of the organization. A report to the membership and/or IRS on the financial standing of the organization shall be presented at each business meeting as required in a timely manner.

**Secretary:**

(Amended 07/08/2010)

The Secretary shall authorize by signature, the recording of the minutes of all organization and special meetings. The Secretary shall ensure timely execution of all notices of meetings. He/She shall be the custodian of the official seal and the basic governing documents.

The Secretary shall have charge of the official minutes and administrative files and records as determined necessary by the SWRTERO.

**General Counsel:**

(Amended 07/08/2010)

The General Counsel shall represent SWRTERO in all its financial, administrative business affairs and matters requiring legal interpretation or state of fact He/She shall conduct legal research and participate in SWRTERO operations as mutually agreed upon between General Counsel and SWRTERO. Legal representation of individual Tribes shall be mutually agreed upon by the Individual Tribes and General Counsel.

(Amended 07/08/2010)

In addition to the above, the officers and appointed personnel shall perform all duties as assigned by the SWRTERO.

(Amended 07/08/2010)

The Officers shall receive no compensation other than allowable expenses for services unless duly authorized by the SWRTERO. Unless so authorized by the SWRTERO. No officer or appointed personnel of the organization shall have the power to bind the SWRTERO by any contract, engagement, instrument, or to pledge its credit or otherwise render it liable for any purpose or amount.

All decisions, actions, and business deemed appropriate shall be documented by the Secretary.

Section 3. General Membership to the organization shall be obtained by the following:

A. Completed Application;

(Amended 07/08/2010)

B. A letter of authority from Tribal Organization, Tribal Leader and/or Tribal Ordinance or Resolution showing the establishment of a T. E. R. O. Office or Labor Relations Office;

C. Private Sectors are to be encouraged to join the organization as ex-officio members.

Section 4. The Geographical Region is established as follows and includes registered T. E. R. O.'s operating in all states listed herein:

Southwest Region: Arizona, California, Nevada, and New Mexico.

### Article III

#### Committee

(Amended 07/08/2010)

Section 1. The Officers shall be the standing committee unless otherwise determined by organization action. The Standing Committee shall consist of:

Chairperson

Vice-Chairperson

Secretary

Treasurer

(Amended 07/08/2010)

The duties of the Officers shall be to plan all meetings, conferences, training and take administrative actions as directed or requested by the SWRTERO. All discussions must be presented and approved by the SWRTERO organization at the next meeting.

(Amended 07/08/2010)

- Section 2. Ad Hoc Committee shall be as duly authorized by and appointed to address specific issues or carry out specified tasks as necessary to accomplish its goals and objectives and carry out its stated purpose.

#### **Article IV**

##### **Meetings and Conferences**

(Amended 07/08/2010)

- Section 1. Four (4) quarterly meetings shall be held for amendments and modifications to SWRTERO. Training shall be held in conjunction with the quarterly meetings.

(Amended 07/08/2010)

- Section 2. Special and emergency meetings of the organization shall be called by the Chairperson, Vice-Chairperson or at the request of one or more members. This request will be submitted to the Officers for consideration. Notice shall be sent fifteen (15) days in advance by FAX, regular mail or e-mail.

(Amended 07/08/2010)

- Section 3. A quorum of the SWRTERO shall be a minimum of five (5) members in order to officially transact SWRTERO business.

(Amended 07/08/2010)

- Section 4. Voting by show of hands, roll call, or special ballot shall occur at the discretion of the presiding body or individual officer. Except when electing an officer, then secret ballot presides. Voting shall be by majority vote of the members present constituting a quorum.

#### **Article V**

##### **Amendments to the By-Laws**

(Amended 07/08/2010)


- Section 1. Resolutions and/or petitions to amend these By-Laws shall occur by Resolution of the Membership of SWRTERO. Resolution of the Membership shall be submitted to the organization in writing not less than ten (10) working days prior to its quarterly or special meeting. All amending resolutions submitted for organization action shall be submitted through the Secretary of SWRTERO for disposition.

**CERTIFICATION**

I hereby certify that the foregoing amendments to the Southwest Region Tribal Employment Organization's **Constitution and By-Laws** were adopted by the Southwest Region TERO Officers and eligible voting members, at a regular scheduled Southwest Region TERO Quarterly Meeting, with a quorum present and was approved by a vote of 10 Tribe(s) In favor and 0 Tribe(s) Opposed and 0 Tribe(s) Abstention on July 08, 2010.

  
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Stephanie Saucedo, Chairperson for Alvaro Hawkins

9/20/2011  
Signed & Dated

  
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Theo De La Rosa, Vice Chairperson for Ann Kochamp, Secretary

09-20-2011  
Signed & Dated