



Mashantucket Pequot
Tribal Nation

KNOW YOUR PREFERENCE RIGHTS

DURING THE COVID-19 RESPONSE

COVID-19 information has been added to this notice in red bold italics.

Under Title 33, the Mashantucket Pequot Tribal and Native American Preference Law

The Mashantucket Pequot Tribal and Native American Preference Law (Preference Law) provides preference in employment opportunities with most employers on the MPTN Reservation for eligible MPTN family members and Native Americans who meet the minimum necessary qualifications of the positions.

What is an employment opportunity? Generally, employment opportunities include hire, training, transfer, promotion and retention from layoff. Certain exceptions may apply.

Laid off preference employees may be entitled to receive preference for recall from layoff.

Contact the MERO for additional information.

What are the minimum necessary qualifications of a job? Minimum necessary qualifications are those qualifications necessary to perform the basic responsibilities of the position, such as those relating to education, skills or experience.

Below are some important elements of the law that are different depending on whether the employer is the MPTN or a business that is not the MPTN (Non-Tribal).

Certain time requirements are relaxed to account for COVID-19 related service interruptions.

Who receives preference?	The MPTN affords preference in the following order: (1) MPTN Members, (2) Spouses/Adopted Children of MPTN Members, and (3) Native Americans (members of tribes with federal, state, Canadian First Nation or MPTN recognition)	Non-Tribal businesses (generally with 5 or more employees) afford preference to members of federally recognized Native American tribes who live on or near a reservation.
Are there any other benefits?	The MPTN provides all preference individuals with certain cultural opportunities and provides MPTN Members, Spouses and Adopted Children with advance notice of open positions and shift assignment preference.	Non-Tribal businesses are not required to provide any additional benefits.
Where may a claim be filed if the employer is not following the law?	A claim against the MPTN may be filed with the Office of Native American Preference (ONAP). To contact the ONAP, call 860-396-2265 or 860-312-3425. An individual dissatisfied with an ONAP decision may file a claim with the Mashantucket Employment Rights Office (MERO) within 15 calendar days of the date of the ONAP decision. <i>If a claim was pending before, or decided by, the ONAP between February 24 and July 6, 2020, the claimant may file a claim with the MERO within 30 calendar days of the claimant's receipt of the ONAP decision.</i>	A claim against a Non-Tribal business may be filed with the Mashantucket Employment Rights Office (MERO). Before filing a claim with the MERO, an individual usually must follow any complaint process offered by their employer.

To be timely, a claim must be filed within 180 calendar days of the event believed to be a violation of the law.

The days between March 10 and July 8, 2020 (120 day period) are not counted as part of the 180 days.

A claim against the MPTN or a Non-Tribal employer that is before the MERO is generally decided after a hearing. If the MERO concludes that the employer violated the Preference Law, the employer may be ordered to remedy the violation, such as providing an employment opportunity and/or paying certain lost wages. A MERO final decision may be appealed to the MPTN Tribal Court.

For additional information, please contact the MERO at MERO@mptn-nsn.gov or 860-396-6508.

The MERO is located at the Pequot Museum, 110 Pequot Trail, Mashantucket, CT.

Office hours may be limited. Please call if you wish to schedule an appointment.