

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



October 15, 2021

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CS-50-21, *An Action Relating to Resources and Development Committee, Naabik'iyati' Committee and Navajo Nation Council; Amending CJN-36-21, Section Six, to extend the deadline for Chapters to return to the twenty-five person Chapter Meeting Quorum Requirement*

Dear Speaker Damon,

For the past 20 months our Navajo People have stayed strong in the fight against the coronavirus. Our vaccination rate is one of the highest in the nation but we must remain cautious and be aware of our surroundings. Our Chapters have maintained services as best they could during this pandemic and we must support their continued efforts. We appreciate the Navajo Chapter Officials for stepping up to be the support for their communities; we know it is difficult to keep moving forward and we are here to support the Chapters along the way.

Thank you to Delegate Carl Slater for his awareness in extending a deadline for the Chapters but more important, helping ensure the safety and protection of our community leaders. Working together we can keep our communities a safe place for our elders, our working families, and our students.

We sign CS-50-21 into law.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Nez".

Jonathan Nez, President
THE NAVAJO NATION

A handwritten signature in black ink, appearing to read "Myron Lizer".

Myron Lizer, Vice President
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - THIRD YEAR, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE, AND NAVAJO NATION COUNCIL; AMENDING CJN-36-21, SECTION SIX, TO EXTEND THE DEADLINE FOR CHAPTERS TO RETURN TO THE TWENTY-FIVE PERSON CHAPTER MEETING QUORUM REQUIREMENT

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the authority and responsibility to hear and act on all resolutions that require final action by the Navajo Nation Council. 2 N.N.C. §§ 164(A)(9) and 700(A).
- C. The Resources and Development Committee is a standing committee of the Navajo Nation Council with oversight authority over chapter activities. 2 N.N.C. §§ 500(A) and (C).

SECTION TWO. FINDINGS

- A. The World Health Organization ("WHO") declared a Public Health Emergency of International Concern related to the outbreak of coronavirus ("COVID-19"), a highly contagious and sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11, 2020.
- B. The Navajo Nation Commission on Emergency Management, with the concurrence of Navajo Nation President Jonathan Nez, declared a Public Health State of Emergency on the Navajo Nation on March 11, 2020, due to the COVID-19 outbreak. See Resolution No. CEM 20-03-11 incorporated herein by reference. The Navajo Nation Department of Health has subsequently issued numerous Public Health Emergency Orders. Public Health Orders 2020-001 through 2021-019 are incorporated herein by reference. These Public Health Emergency Orders are available at www.ndoh.navajo-nsn.gov.

- C. The coronavirus pandemic of 2019 has caused large scale infections and loss of life throughout the world, the United States and the Navajo Nation. As of September 14, 2021, the Navajo Nation Health Command Operations Center has confirmed 33,290 COVID-19 cases and 1,421 COVID-related deaths on the Navajo Nation.
- D. Since the start of the pandemic, the Navajo Nation Council and its Standing Committees responded to the emergency situation passing a record number of legislative acts to address the pandemic situation and offer relief to constituents and communities.
- E. Numerous factors show that the Navajo Nation was starting to recover from the devastating effect of the Coronavirus, including, but not limited to, more adults and children receiving the COVID-19 vaccine, reduced hospitalization of COVID-19 positive cases, and more negative test results for COVID-19.
- F. In response to the recovery, Navajo Nation Council enacted Resolution No. CJN-36-21 titled "AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION COUNCIL; REPEALING RESOLUTIONS RELATED TO OR RESPONDING TO EMERGENCY OR EXTRAORDINARY ENACTMENTS' PERTAINING TO COVID-19 MITIGATION AND COVID-19 PANDEMIC OPERATIONAL AND PREPAREDNESS PROCEDURES; AUTHORIZING THE OPENING OF NAVAJO-OWNED BUSINESSES TO NAVAJO CITIZENS AND NON-NAVAJO TOURISTS AND VISITORS; AUTHORIZING IN-PERSON INSTRUCTION AT SCHOOLS OPERATING WITHIN THE NAVAJO NATION", attached as **Exhibit A**, which included that "[w]ithin ninety (90) days of enactment of this legislation [CJN-36-21], Chapter meeting quorum requirements shall return to a minimum of twenty-five persons unless otherwise authorized under RDCD-127-12." CJN-36-21, Section Six (B).
- G. COVID-19 variants have, however, emerged since the enactment of CJN-36-21 that threaten to continue and even increase the pandemic's assault on the Navajo People and the Navajo Nation may experience additional variant-based COVID-19 exposures and cases in the coming months.
- H. The Navajo Nation Council determines that it is in the best interest for the overall safety of the Navajo People to extend the deadline established by Navajo Nation Council Resolution No. CJN-36-21 for Chapters to return to the Chapter meeting twenty-five member quorum requirement.

SECTION THREE. AMENDING CJN-36-21, SECTION SIX

The Navajo Nation hereby amends CJN-36-21, Section Six, as follows:

SECTION SIX. ALLOWING CHAPTER TELECOMMUNICATIONS

- A. Navajo Nation Chapters shall comply with applicable Public Health Emergency Orders.
- B. Within ~~ninety~~ ~~(90)~~ one hundred eighty (180) days of enactment of this legislation, unless otherwise extended through resolution of the Naabik'íyáti' Committee, Chapter meeting quorum requirements shall return to a minimum of twenty-five persons unless otherwise authorized under RDCD-127-12.
- C. Chapter meetings shall comply with the Navajo Nation Local Governance Act.
- D. The Chapters may continue to use telephonic or other electronic means as a supplement to meet their ~~normal~~ quorum requirement.
- E. The Navajo Nation Council hereby support the continued use of the Chapter Return to Operations Plan, attached as Exhibit A, to guide Chapters in providing services to their communities in a safe manner.

SECTION FOUR. EFFECTIVE DATE


This Resolution is effective upon its approval pursuant to 2 N.N.C. §§ 1005(C)(10) - (12).

SECTION FIVE. SAVING CLAUSE

Should any provision of this legislation be determined invalid by the Navajo Nation Supreme Court, or a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those portions of the legislation which are not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 02 Opposed, on this 30th day of September 2021.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

Oct 5, 2021

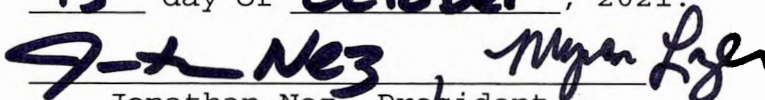
DATE

Motion: Honorable Daniel E. Tso
Second: Honorable Wilson C. Stewart, Jr.

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 15 day of October, 2021.


Jonathan Nez, President
Navajo Nation

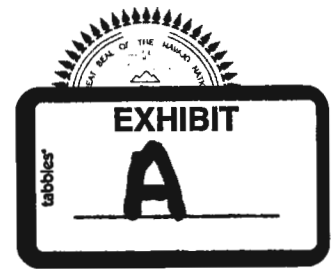
2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2021 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

July 6, 2021



Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CJN-36-21, *An Action Relating to an Emergency for the Navajo Nation Council; Repealing Resolutions Related to or Responding to Emergency or Extraordinary Enactments Pertaining to COVID-19 Mitigation and COVID-19 Pandemic Operational and Preparedness Procedures; Authorizing the Opening of All Navajo Nation Enterprises and Navajo-Owned Businesses to Navajo Citizens and Non-Navajo Tourists and Visitors; Authorizing In-Person Instruction at Schools Operating Within the Navajo Nation*

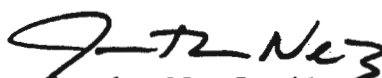
Dear Speaker Damon,

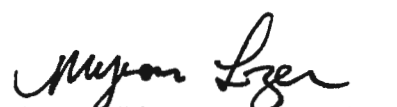
The health of the Navajo Nation has improved significantly over the past several months with more Navajos receiving the COVID-19 vaccines, daily mask wearing and using hand sanitizer, and being aware of our surroundings. Our health experts tell us the number of positive cases is on a downward trend, as well as hospitalizations for patients who have contracted the virus, and the number of deaths due to COVID is slowing. These signs of progress are due to the Navajo People's diligence and dedication to helping combat the pandemic; however, we are not completely free of this deadly virus.

Each of us has a duty to protect not only ourselves but those around us if we are to keep the coronavirus from making another surge; we need to protect ourselves more so with COVID-19 variants now appearing on our Nation. We must rely on the advice of our health experts who keep a daily vigil on the condition of our People. While we cannot truly know the wellbeing of those around us, whether they are visitors, classmates, or community members, we can only care for our own and be cautious around others. Our Public Health Orders are for our own protection.

Thank you to the 24th Navajo Nation Council for taking this step forward in bringing the Navajo Nation one step closer in providing services, education, and helping our business owners. We appreciate Honorable Carl Slater for his vision and insight to address this special need. We previously committed to a gradual reopening of the Navajo Nation with the expert advice of the Health Command Operations Center and Public Health Orders, therefore, we sign CJN-36-21 into law.

Sincerely,


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - THIRD YEAR, 2021

AN ACTION

RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; REPEALING RESOLUTIONS RELATED TO OR RESPONDING TO EMERGENCY OR EXTRAORDINARY ENACTMENTS PERTAINING TO COVID-19 MITIGATION AND COVID-19 PANDEMIC OPERATIONAL AND PREPAREDNESS PROCEDURES; AUTHORIZING THE OPENING OF ALL NAVAJO NATION ENTERPRISES AND NAVAJO-OWNED BUSINESSES TO NAVAJO CITIZENS AND NON-NAVAJO TOURISTS AND VISITORS; AUTHORIZING IN-PERSON INSTRUCTION AT SCHOOLS OPERATING WITHIN THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. Pursuant to 2 N.N.C. § 164(A)(16) "[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council."

SECTION TWO. FINDINGS

- A. The entire Navajo Nation government, as a sovereign entity, provides essential, daily services to the Navajo public, business partners, and consumers and a delay or interruption of the essential services has an impact on the Navajo Nation's ability to operate government programs, generate revenue, and provide other necessary services; making immediate relief necessary by repealing certain enactments of the Navajo Nation Council.
- B. In March 2020, the Navajo Nation saw the COVID-19 Coronavirus begin its spread across Navajo communities; and more than a year later, as of June 24, 2021, COVID-19 has infected 30,974 individuals and caused 1,347 deaths on the Navajo Nation, while disrupting daily life and creating economic havoc.

- C. The Navajo Nation Council and Standing Committees responded to the emergency situation passing a record number of legislative acts to address the pandemic situation and offer relief to constituents and communities.
- D. The Navajo Department of Health and the Health Command Operations Center initiated a system to monitor the effects of the Coronavirus on the Navajo Nation while providing information on how to best prevent the spread of the Coronavirus and to protect the public and employees across the Navajo Nation.
- E. The Navajo Department of Health and the Health Command Operations Center, since March 2020, initiated several lockdowns for the Navajo Nation to prevent the spread of the Coronavirus, mandated mask/face coverings for all persons along with other safety measures to keep the public safe.
- F. In December of 2020, the Center for Disease Control and Prevention (CDC) authorized the emergency use of vaccines to combat the Coronavirus and through the Indian Health Services the vaccine was made available to Navajo citizens with 70% of adults receiving one of three vaccines available.
- G. Over the past several months, numerous factors show that the Navajo Nation is recovering from the devastating effect of the Coronavirus; factors such as, more adults and children receiving the COVID-19 vaccine, reduced hospitalization of COVID-19 positive cases, and more negative test results for COVID-19.
- H. For non-government entities and businesses on the Navajo Nation, the status shifted from Red with high restrictions on businesses to Orange with moderate restrictions and currently in Yellow with moderate-low restrictions on businesses.
- I. The Navajo Nation may experience additional COVID-19 cases with the introduction of new variants; however, the Navajo Nation's status is improving with the safe practices of all citizens and government employees.

SECTION THREE. REPEALING CERTAIN NAVAJO NATION COUNCIL RESOLUTIONS

The Navajo Nation, with its improving health conditions and upgraded safety status, will not require certain restrictions related to or responding to emergency challenges resulting from the COVID-19 pandemic; and repeals the following enactments, included herein by reference:

- A. CMA-08-20, An Action Relating to an Emergency; Approving Minimized Procedures for Accepting Donations During the COVID-19 Emergency Declaration; Temporarily Waiving Certain Provisions of 2 N.N.C. § 1010;
- B. CMA-09-20, An Action Relating to an Emergency; Temporarily Authorizing Reduced Chapter Meeting Quorum Requirements During the COVID-19 Emergency;
- C. NABIJN-26-20, An Action Relating to the Naabik'íyáti' Committee; Extending the Expiration of Navajo Nation Council Resolution No. CMA-09-20;
- D. CMA-16-20, An Action Relating to an Emergency; Regarding the COVID-19 within the Territorial Jurisdiction of the Navajo Nation, Ensuring Safe Protection Upon Roads Within the Navajo Nation by Declaring all Navajo Nation-Owned and Maintained Roads Shall Be Closed to all Visitors and Tourists;
- E. CMY-36-20, An Action Relating to Naabik'íyáti' and Navajo Nation Council; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution CAP-19-20 [An Action Relating to an Emergency; Temporarily Suspending Title 26 Sections to Allow Chapter Meetings to be Held Telephonically or Through Video Conferencing; Temporarily Suspending Title 26 Sections and Clarifying Title 26 Sections to Authorize Chapters to Function to Meet the Needs of their Communities during the COVID-19 Health Crisis under the Three Person Quorum and the Executive Branch Closure of the Navajo Nation Government Offices and Related Entities, Executive Order No. 002-20];
- F. CJY-64-20, An Action Relating to an Emergency; Extending the Expiration of Navajo Nation Council Resolution No. CAP-19-20;
- G. CJY-66-20, An Action Relating to an Emergency; Approving Meetings Through Telecommunications for Chapter Subcommittees, Community Land Use Plan Planning Committees, Agency, Regional and District Councils, Chapters and Agency Veterans Organizations;
- H. CO-84-20, An Action Relating to an Emergency for the Navajo Nation; Opposing All In-Person Instruction at all Schools Intending to Reopen within the Navajo Nation Amidst COVID-19; Supporting the Navajo Nation Board of Education in Recommending Virtual Learning.

SECTION FOUR. AUTHORIZING THE OPENING OF NAVAJO NATION ENTERPRISES AND NAVAJO-OWNED BUSINESSES

All Navajo Nation enterprises and Navajo business owners may hereby open their businesses to Navajo citizens and non-Navajo tourists and visitors; and initiate or resume their business activities in compliance with COVID-19 safety protocols and applicable Public Health Orders.

SECTION FIVE. ALLOWING IN-PERSON INSTRUCTION AT SCHOOLS

All schools operating within the Navajo Nation that offer in-person instruction shall comply with the COVID-19 safety protocols established by the Navajo Board of Education and Department of Diné Education and applicable Public Health Orders.

SECTION SIX. ALLOWING CHAPTER TELECOMMUNICATIONS

- A. Navajo Nation Chapters shall comply with applicable Public Health Emergency Orders.
- B. Within ninety (90) days of enactment of this legislation, Chapter meeting quorum requirements shall return to a minimum of twenty-five persons unless otherwise authorized under RDCD-127-12.
- C. Chapter meetings shall comply with the Navajo Nation Local Governance Act.
- D. The Chapters may continue to use telephonic or other electronic means as a supplement to meet their normal quorum requirement.
- E. The Navajo Nation Council hereby supports the continued use of the Chapter Return to Operations Plan, attached as **Exhibit A**, to guide Chapters in providing services to their communities in a safe manner.

SECTION SEVEN. EFFECTIVE DATE

This Resolution is effective upon its approval pursuant to 2 N.N.C. § 221(B).

SECTION EIGHT. SAVING CLAUSE

Should any provision of this legislation be determined invalid by the Navajo Nation Supreme Court, or a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those portions of the legislation which are not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 23 in Favor, and 00 Opposed, on this 25th day of June 2021.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

06/28/2021

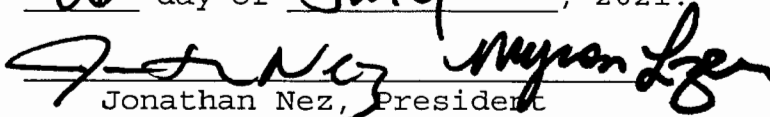
DATE

Motion: Honorable Vince R. James
Second: Honorable Eugenia Charles-Newton

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 06 day of July, 2021.


Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2021 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation



Chapter Return to Operations Plan

(version 3/19/2021)

I. Introduction

Last year in March 2020, the Covid-19 Pandemic caused a limited governmental closure wherein the government was only providing “essential governmental services.” In August 2020, there was a gradual reopening of the government whereby “non-essential governmental services” could resume. In November 2020, the government returned to a limited governmental closure status. In February 2021, the government “reopened” again. All the while, the Chapters have been providing essential governmental services to their communities.

The first Chapter Return to Operations Plan (also referred to as the “Chapter Reopening Plan”) was created in August 2020 to assist Chapters in providing “non-essential governmental services” to their communities. This updated Plan continues to be designed to protect every Chapter employee, official, clients, customers, partners, visitors, and the communities that the Chapters serve.

This Plan is also meant to be as flexible as possible in light of ever-changing laws, regulations, and policies that continue to address this COVID-19 virus and pandemic. In other words, this Plan should be interpreted and applied as new developments and guidance are issued by the Navajo Department of Health (NDOH) and/or the Navajo Nation Health Command Operations Center (HCOC). The NDOH webpage for Covid-19 is a great resource for the most updated information for the Navajo Nation: <https://www.ndoh.navajo-nsn.gov/COVID-19>

II. COVID-19 Guidelines

The COVID-19 virus is transmitted through respiratory droplets. One way to describe respiratory droplets is that it is anything liquid in a person’s body (i.e. spit, blood, tears, etc.). Whenever an infected person breathes, speaks, or coughs, droplets are released into the air and can land on another person or object. Personal Protective Equipment (PPE) and Social Distancing can reduce how far the virus can travel. No matter where the virus lands, personal hygiene, cleaning, and disinfection can kill the virus.

Most common symptoms of COVID-19 include fever, tiredness, dry cough, chills, aches and pains, headache, nasal congestion, runny nose, sore throat, loss of taste/smell, nausea/vomiting or diarrhea. By now we know that there are also “asymptomatic carriers” which is a person infected with the virus but is not showing any symptoms. Thus, a person can appear perfectly healthy but they could be carrying the

virus and can still infect others. Therefore, just because a person appears to be healthy, you cannot let your guard down.

The Covid-19 vaccines are extremely helpful but there are a lot of misconceptions. In particular, it is true that a person who is "fully vaccinated" can just as easily get infected with the Covid-19 virus as someone who is not vaccinated. However, the benefit of the vaccines are to help with symptoms. For example, a person receiving Pfizer is "fully vaccinated" when it has been two weeks (14 days) since receiving their second dose.¹ If he or she gets infected, there should be a 96% chance (efficacy rate²) that the person will not have any symptoms or will have mild symptoms. That also means that there is a 4% chance that the person could get very sick. Therefore, even if fully vaccinated, it is very important for Chapters and their communities to continue wearing masks, social distancing, maintaining personal hygiene, and cleaning/disinfecting areas.

A. Social Distancing

1. All persons shall remain six (6) feet apart from the next person. This may require reconfiguring work areas for Chapter staff. This may also include social distancing markers for the Public using tape and signs designating 6-feet of spacing.
2. Additional measures to consider:
 - a. Using Chapter Emergency Funds to install protective measures such as:
 - i. Plexiglas, clear plastic, half-doors, or other barriers providing a six feet distance.
 - ii. Improve the ventilation system of Chapter building(s).
 - b. Implement flexible work schedules for Chapter employees as mentioned in Section IV(D).
3. Social distancing also applies to all public gatherings which are currently limited to ten (10) persons. To be safe, Chapters shall ensure that all ten persons are fully vaccinated. Chapters shall not condone or encourage any other social activities to occur in any Chapter facility until the public gathering restrictions are lifted by the HCOC.

B. Personal Protective Equipment

1. Masks are required within all Chapter facilities. Studies have shown that without face coverings, the virus can easily travel beyond six feet. Therefore, masks are important. All masks should fit properly covering the nose and mouth. A loosely fitted mask, including one that only covers the mouth, will not be protective.

¹ Moderna is also a two dose vaccine and full vaccination is also two weeks from the second dose. The Johnson & Johnson vaccine is a single dose vaccine and full vaccination is also two weeks from receiving their dose.

² Moderna's current efficacy rate is 94% and Johnson & Johnson's is 66%.

2. Face masks.

- a. Non-medical disposable masks *that fit well* are highly recommended.
- b. Properly made and properly fitted masks with a tightly woven fabric or cotton is also recommended. The more layers the better in order to capture the virus but the mask must also be breathable. Doubling up on masks is encouraged in light of the variant Covid-19 virus which is more contagious.
- c. Certain masks are not recommended for Chapter Officials/Staff such as single layer cloth masks; loose fabrics such as neck gaiters; bandanas; and masks with exhalation valves.
- d. Members of the Public are responsible for providing their own face masks. As such, Chapters cannot require the Public to wear the recommended masks. Thus, if a community member comes to the Chapter wearing a mask that is not recommended, Chapters should take extra safety measures when interacting with that person.
- e. When putting on or taking off masks, touch only the ear loops because the virus could be present on the fabric portion.
- f. Single use masks should only be used once. Reusable masks like cloth masks should be laundered after every use.
- g. Face shields shall not replace face masks. In other words, a Chapter Official/Staff wearing a face shield must also wear a recommended face mask.

3. Use of other Personal Protective Equipment (PPE) is discretionary.

C. Personal Hygiene

1. Frequent hand washing with soap and water for at least 20 seconds is required. If soap and water is unavailable, a hand sanitizer containing a minimum of sixty percent (60%) alcohol may be used.
2. Avoid touching your face, nose, eyes, and mouth after touching anything because infected droplets can enter your body through those areas.

D. Cleaning & Disinfection

1. Since droplets can land on surfaces, it is important to clean and disinfect any area that had a risk of exposure. Section VI(H) cites to a resource containing a list of EPA-approved cleaning products that Chapters can use for cleaning and disinfection. If EPA-approved cleaning products are unavailable, the Chapter can use the following concentration of water and bleach:
 - a. 4 teaspoons of bleach per quart of room temperature water; or
 - b. 5 tablespoons (1/3 cup) of bleach per gallon of room temperature water.
2. Avoid touching frequently touched surfaces or use a protective barrier such as a tissue when

touching those surfaces. Wash hands after touching such surfaces. Gloves can also transmit the virus and therefore gloves should also be for single use only. For leather work gloves, these can be washed with soap and water with the same technique as washing one's hands.

3. The person, employee, or official using any area of the Chapter building or Chapter vehicle/equipment shall be responsible for cleaning and disinfecting the area **before and after each use**. This includes tables, doorknobs, light switches, desks, handles, keyboards, computer mouse, toilets, faucets, sinks, steering wheel, door handles, gearshifts, and cell phones. This includes shared workstations which must be cleaned and disinfected between users. This is not meant to be a comprehensive list of items that needs to be cleaned and disinfected.
4. Develop a routine cleaning schedule. Certain areas such as those frequented by the Public (the Lobby), should have a more frequent cleaning schedule.
5. All nonessential amenities and communal areas that the Chapter cannot clean and disinfect on a frequent basis should remain closed to the public.
6. While there is a low risk of exposure for mail, the Chapter should disinfect mail.

III. Communication Guidelines

A. Notices at Chapters help to Communicate with the Community.

1. Chapters shall post signs that provides the contact information for the nearest healthcare facility.
2. A sign shall be posted informing visitors that anyone not wearing a mask will not be permitted to enter the Chapter facility.
3. A sign should also be posted to prohibit loitering, selling, and socializing.
4. It may help to have Chapter Staff keep copies of the latest Navajo Nation Emergency Public Health Order which can be found at: <https://www.ndoh.navajo-nsn.gov/covid-19>.

B. Client/Customer Appointments

1. For Chapters and Clients with internet service:
 - a. Chapters should communicate updated information to their community and clients through the official Chapter website, email, or other forms of communication.
 - b. To the extent feasible, all meetings with staff, clients, and others should be conducted by Skype, Zoom, GoToMeeting, video, WebEx, telephone, or any other non-contact means.
 - c. As much as is possible, Chapters should take applications for assistance or services via online, e-mail, postal service, fax, or other non-contact means.
2. For Chapters or Clients without internet service:
 - a. Any in-person meeting must be held with all safety measures in place (i.e., personal protective

- equipment, social distancing, personal hygiene, cleaning, and disinfection).
- b. Chapters with long lines of clients should consider scheduling appointments. Drive-thru service is also an option.
- 3. Chapters should continue to utilize the safety measures described in:
 - a. Emergency Navajo Nation Chapter Plan for Chapter Drive-up, Pick-up, and Delivery of Essential Services (March 25, 2020); and the
 - b. Emergency Navajo Nation Chapter Plan for Guidance on Burials, Community Cemeteries, Family Plot Burials and Related Services (April 16, 2020).
- 4. Chapters should provide a drop-box or make other suitable non-contact or limited contact arrangements for clients who lack internet access in order to return any required documents.
- 5. Chapters should consider purchasing Point-of-Sale systems to limit or reduce the exchange of cash.
- 6. Maintain a daily log or sign-in sheet of every visitor, including staff and officials. This may aid with contact tracing.

IV. Guidelines for Chapter Employees and Officials

- A. Every Chapter Employee and Official has a duty to protect themselves and the People whom they serve and therefore every person has a duty to implement these guidelines.
- B. COVID-19 Education and Information.
 - 1. There continues to be a great amount of misinformation and belief based on incorrect information.
 - 2. Chapter Officials and Chapter Employees owe a duty to their community to educate themselves and disseminate correct information about COVID-19 to their community based on reliable sources such as the NDOH, HCOC, or sources cited in Section VI herein.
 - 3. Facebook and other social media platforms are not reliable. Any information from these sources should be verified by reliable sources.
- C. Update contact information for all Chapter Staff and Officials (e.g., cell phone numbers, alternative phone numbers, mailing addresses, and email addresses). This information is necessary to communicate immediately for any important information. Be mindful of confidential information and as a reminder, all staff and officials are bound by the restrictions in the Navajo Nation Privacy and Access to Information Act, 2 N.N.C. §§81 *et. seq.*
- D. Telecommuting (Telework) and/or Flexible Work Schedules.
 - 1. Telecommuting is generally allowing staff to work from home or an alternative work site. This is nothing new as all personnel policies allow working from alternative work sites. However,

telecommuting may not be suitable for some Chapter positions and therefore Chapters are not obligated to create duties in order to allow their employees to telecommute. In fact, some Chapters and/or employees may suffer from infrastructure defects such as the lack of communication/internet services that may make telecommuting not an option.

2. The Chapter Manager/CSC should consult with the Chapter Officials in planning for telecommuting. Factors to consider:
 - a. Unless there is a closure or the Chapter implements an alternative schedule, telecommuting requires one of the following Chapter employees to be present at the Chapter from 8a-12p and 1p-5p, Monday-Friday.
 - i. Community Service Coordinator / Chapter Manager; or
 - ii. Account Maintenance Specialist / Administrative Assistant.
 - b. If Chapter office space is insufficient to allow staff to operate using the six feet distancing requirements and there is no other alternative, the Chapter should implement a combination of staggered work schedules and telecommuting to meet the social distancing requirements.
 - c. Plan for duties that can be done at an alternative work area. An alternative work area may include the employee's home, another office space, or another facility.
3. Telecommuting Policy and Procedures:
 - a. The Employee submits a request to their supervisor.
 - b. The Chapter Manager/CSC approves or denies the request.
 - c. If approved, the Chapter Manager/CSC shall:
 - i. Clearly define duties and define the duration of the telecommuting period;
 - ii. Complete an equipment checklist for any communication devices such as a cell phone, laptop, etc. However, the Chapter is not responsible for providing such equipment. The Chapter is also not responsible for any damage to any personal equipment used by the telecommuting employee.
 - d. If approved, the Telecommuting Employee shall:
 - i. Have the duty to communicate with their supervisor.
 - ii. Sign a Telecommuter's Agreement which may contain additional requirements.
 - e. Telecommuting does not need to be for the entire 40-hour work week. It can be used alongside a "flexible work schedule." In other words, a telecommuting employee may be required to come to the Chapter during certain parts of the work week.
 - f. Telecommuting is a privilege and is subject to termination at any time for any reason.

4. Flexible Work Schedules. Unless the Chapter has developed their own policy, Chapters may use: <http://www.dpm.navajo-nsn.gov/forms/Flexible%20Work%20Schedule.pdf>. Any alternative Chapter facility operation hours shall be clearly communicated to their community.

D. Elective Leave.

1. These Elective Leave Guidelines apply only to Chapter employees with leave benefits.
2. If the Chapter is safe to reopen but the employee believes it is unsafe to return to work. The employee will use their annual leave before approved leave without pay is applied.
3. If the employee refuses to return based on an "underlying health condition," the employee will be required to produce a doctor's statement to their supervisor. Such leave will be applied in the following order: sick leave, annual leave, family medical leave (if applicable), then approved leave without pay.
4. If the employee cannot return to work due to lack of childcare arising from distance learning required by their children's schools (including distance learning option), employees shall provide a written statement to their supervisor. Leave for this reason will be exhausted in the following order: annual leave, then approved leave without pay.

E. COVID-19 Leave

1. COVID-19 leave is only for Chapter employees who have been **deemed essential** by the Chapter Manager or by the Chapter CSC.
2. The Navajo Nation's COVID-19 leave policy applies to the Chapter CSC and AMS. These employees must follow the Navajo Nation's guidelines at: <http://www.dpm.navajo-nsn.gov/memos/Covid%20Leave%20Procedures%20and%20form%2008312020.pdf>
3. All other essential Chapter employees may request COVID-19 leave for:
 - a. Category A – When a family member has tested positive and requires assistance from the employee.
 - b. Category B – When the employee has tested positive for COVID-19.
 - c. Category C – When the employee has been exposed to COVID-19 or is experiencing symptoms of COVID-19.
4. Generally, requests must be submitted in writing except that if the employee is positive or having symptoms, their request shall be done via email.
 - a. For Category A, the employee must describe the assistance needed by the family member and why another person cannot provide that assistance;
 - b. For Categories A & B, the employee will need to submit official medical documentation or a

signed affidavit. Once submitted, the Supervisor must grant COVID-19 leave.

- c. For Category C, exposure means being within six feet of a positive person for more than 15 minutes. Please see Section II for "symptoms."
5. COVID-19 leave ends when the employee can show a negative test result. In any case, the maximum period for COVID-19 leave is 120 hours. Thereafter, the employee will need to use other leave benefits.
6. All documents relating to COVID-19 leave shall be kept confidential.

V. COVID-19 EXPOSURE AT THE CHAPTER

- A. If information is confirmed that a person has tested positive and he/she was within a Chapter facility, the following shall occur:
 1. Close off areas used by the person who is sick;
 2. Open outside doors and windows (use a fan to increase circulation);
 3. Close the facility if necessary;
 4. Wait twenty-four (24) hours before cleaning and disinfecting the closed off area;
 5. Areas not visited by the infected person only needs routine cleaning;
 6. Wear masks and disposable gloves to clean and disinfect;
 7. Vacuuming:
 - a. Do not vacuum while People are present (wait until the room/space is empty);
 - b. Use a vacuum equipped with a high-efficiency particular air (HEPA) filter or bag;
 - c. To clean "soft and porous" materials such as carpets, rugs, or drapes, use the approved list of recommended disinfectants referenced in Section VI(H)..
 - d. While vacuuming, temporarily turn off in-room, window-mounted, or on-wall recirculation HVAC units. However, do not deactivate the central HVAC system.
 8. Once the area has been disinfected, the area can be reopened.
 9. If the area has not been disinfected but it has been seven (7) days since the infected person was in that area, the area can be reopened after routine cleaning and disinfection.
 10. The Chapter may contact the Navajo Nation Facilities Maintenance Department but professional cleaning is generally not be required because the COVID-19 virus is airborne for only a limited time. Thus, it is generally safe for employees (who were not exposed) to return to the Chapter building after a twenty-four (24) hour period to begin cleaning and disinfecting the Chapter facility.

NAVAJO NATION

887

9/30/2021

Navajo Nation Council Special Session

06:40:04 PM

Amd#1 to Amd# On Page 3, Line 23, Before the
MOT Smith Word "Shall", Insert Chapter
SEC Halona, P Meeting Quorum Requirements....

PASSED

Yeas : 20

Nays : 1

Excused : 1

Not Voting : 1

Yea : 20

Begay, E	Crotty	James, V	Tso, D
Begay, K	Daniels	Nez, R	Tso, E
Begay, P	Freeland, M	Slater, C	Walker, T
Brown	Halona, P	Smith	Wauneka, E
Charles-Newton	Henio, J	Stewart, W	Yellowhair

Nay : 1

Tso

Excused : 1

Yazzie

Not Voting : 1

Tso, C

Presiding Speaker: Damon

NAVAJO NATION

888

9/30/2021

Navajo Nation Council Special Session

06:53:14 PM

Amd# to Amd#	Legislation 200-21: Amending	PASSED
MOT Tso, D	CJN-36-21, Section Six, to	
SEC Stewart, W	Extend the Deadline for Chapters	
	to Return to the Twenty-Five....	

Yeas : 18

Nays : 2

Excused : 1

Not Voting : 2

Yea : 18

Begay, E	Freeland, M	Slater, C	Tso, D
Begay, K	Halona, P	Smith	Walker, T
Begay, P	Henio, J	Stewart, W	Wauneka, E
Crotty	James, V	Tso	Yellowhair
Daniels	Nez, R		

Nay : 2

Brown	Charles-Newton
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Excused : 1

Yazzie

Not Voting : 2

Tso, E	Tso, C
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Presiding Speaker: Damon