RESOLUTION OF THE BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL - Fourth Year, 2018

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE; APPROVING AMENDMENTS TO THE NAVAJO NATION DEPARTMENT OF RETIREMENT SERVICES PLAN OF OPERATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee has oversight of the Department of Retirement Services. 2 N.N.C. § 301 (B)(13).
- B. As part of its legislative oversight funcitons for the Department of Retirement Services, the Budget and Finance Committee is empowered to "review, recommend, or propose the adoption, amendment, or rescission of its Plan of Operation." 2 N.N.C. § 301(B)(13).

SECTION TWO. FINDINGS

- A. The current version of the Plan of Operation for the Department of Retirement Services was approved in 2012 through Resolution BFJY-35-12, which is attached as Exhibit C.
- B. A marked-up copy of the proposed amendments to the Department of Retirement Services Plan of Operation is attached as **Exhibit A**.
- C. An unmarked copy incorporating the proposed amendments into the Plan of Operation is attached as **Exhibit B**.
- D. If any amendments to **Exhibits A or B** are made at the Budget and Finance Committee, the Department of Retirement Services shall make the necessary changes to **Exhibit B**, reflecting the amendments.

SECTION THREE, APPROVAL

The Budget and Finance Committee of the Navajo Nation Council approves the Plan of Operation for the Retirement Services Department in **Exhibits A and B**.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held at Leupp, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 18th day of September 2018.

Seth Damon, Chairperson
Budget and Finance Committee

Motion: Honorable Tom T. Chee

Second: Honorable Tuchoney Slim, Jr.



PLAN OF OPERATION

NAVAJO NATION DEPARTMENT OF RETIREMENT SERVICES

I. ESTABLISHMENT

There is hereby established the Navajo Nation Department of Retirement Services ("NNDRS") within the Navajo Division of Human Resources of the Executive Branch of the Navajo Nation Ggovernment. The Retirement Plan Administrator for the Navajo Nation Department of Retirement Services NNDRS shall be under the general direction and guidance of the Executive Division Director of the Navajo Division of Human Resources.

II. PURPOSE

The Navajo Nation Department of Retirement Services is established to:

- A. Provide the employees of the Navajo Nation, and participating affiliates <u>including</u> <u>participating certified chapters</u>, with timely, competitive, and financially secure retirement benefits.
- B. Assist retirees and beneficiaries with issues related to their retirement benefits.
- C. Provide technical assistance to all employees and vested terminated employees on their respective retirement benefit provisions, coordinate retirement benefits, and answer participants' inquiries, and encourage employee participation in the Navajo Nation 401(k) Savings Plan.
- D. Administer and operate the Regular-Retirement Plan for Employees of the Navajo Nation and Participating Affiliates ("Defined Benefit) Plan"), the Navajo Nation 401(k) Savings Plan ("Defined Contribution) Plan"), and the Deferred Compensation Plan for Political Appointees and Council Delegates of the Navajo Nation (Non-qualified) ("Deferred Compensation Plan").
- E. Collect participants' census data for the <u>a</u>Annual <u>a</u>Actuar<u>yial v</u>Valuation: perform benefits calculations; process benefit payments; and <u>process</u> 401(k) Savings Plan enrollments, loans, hardship withdrawals, and final distributions.
- F. Provide orientations and presentations on the Retirement Defined Benefit Plans, Defined Contribution Plan, and Deferred Compensation/Retirement Plans, and encourage employee participation in the 401(k) Savings Plan.
- G. Provide technical assistance and support to the Navajo Nation Retirement Board (and its predecessor Administration Committee as necessary) Retirement Plan Administration Committee ("RPAC"), the Retirement Savings Plan Administration

Committee ("RSPAC"), and the Deferred Compensation Plan Administration Committee ("DCPAC"), collectively referred to as the "Retirement Committee."

- H. Provide assistance to the record keeper/trustee in preparing of calculations and payments to eligible employees under in the Deferred Compensation/Retirement Plan.
- I. Prepare Cost_of_Living Adjustments for retirees by researching and recommending the percentage of Cost_of_Living Adjustment to the be applied when such increases are approved and authorized by law the RPAC and the Budget and Finance Committee.

III. STAFFING AND ORGANIZATION

A. Staffing:

- 1. The position of Retirement Plan Administrator is established and provided for to direct the Navajo Nation Department of Retirement Services NNDRS and to administer the Retirement Plans. The Retirement Plan Administrator shall be authorized to recruit employ necessary professional, technical, and elerical position administrative support personnel to carry out the organizational purposes stated herein.
- ii. 2. All personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.
- 3. The Retirement Plan Administrator shall be hired by the Executive Division Director of the Navajo Division of Human Resources President of the Navajo Nation Personnel Policies Manual.

B. Organization:

The organization chart of the Navajo Nation Department of Retirement Services NNDRS is appended to this Plan of Operation.

IV. RESPONSIBILITY AND AUTHORITY

The Retirement Plan Administrator is authorized and directed to:

A. Administer the Regular Retirement (Defined Benefit) Plan, <u>Defined Contribution</u>
Plan, and Deferred Compensation/Retirement Plan, and 401(k) Savings (Defined Contribution) Plan.

- B. Ensure compliance with applicable federal and Navajo Nation laws, rules, and regulations regarding administration of the Regular Retirement (Defined Benefit) plan and 401(k) Savings (Defined Contribution) Plans.
- C. Establish and maintain a good working relationship with subordinates, supervisors, officials, the Navajo Nation Retirement Board (and predecessor Administration Committee) and oversight committee the Budget and Finance Committee.
- D. <u>Supervise and aid NNDRS personnel to Aassist retirees</u>, and beneficiaries of deceased retirees with problems related to their retirement benefits.
- E. Attend meetings, seminars, and trainings to keep abreastinformed of all new rules laws and regulations applicable to tribal governmental retirement plans and deferred compensation plans.
- F. Provide assistance to eligible <u>political-at-will</u> employees, political appointees, <u>and</u> elected members of the Navajo Nation Council, <u>and the President and Vice President of the Navajo Nation</u> under the Deferred Compensation/Retirement <u>Pplan</u>.
- G. Maintain and <u>eCoordinate and supervise</u> services provided by the actuar<u>yies</u>, record keeper<u>s</u>, trustees, attorneys, <u>auditors</u>, and <u>investment advisors</u> and <u>other entities</u> <u>ofto the NNDRS and</u> the Navajo Nation Retirement Plans.

V. LEGISLATIVE OVERSIGHT

The Budget and Finance Committee of the Navajo Nation Council shall provide legislative oversight for the Department of Retirement Services NNDRS pursuant to 2 N.N.C § 301 (B) (13).

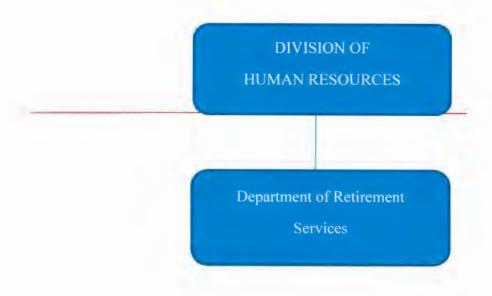
VI. AMENDMENTS

This Plan of Operation may be amended by the Budget and Finance Committee of the Navajo Nation Council.

NAVAJO NATION

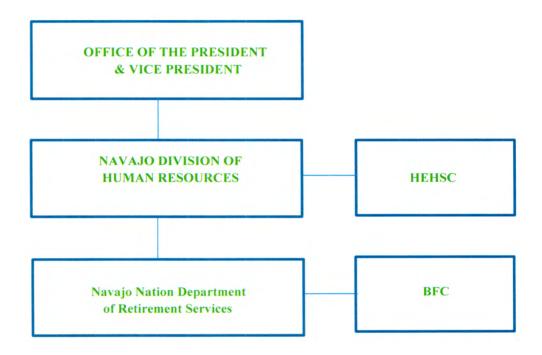
Department of Retirement Services

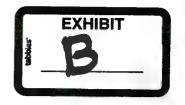
Organizational Chart Fiscal Year 2012



Navajo Nation Department of Retirement Services

Organizational Chart





PLAN OF OPERATION

NAVAJO NATION DEPARTMENT OF RETIREMENT SERVICES

I. ESTABLISHMENT

There is hereby established the Navajo Nation Department of Retirement Services ("NNDRS") within the Navajo Division of Human Resources of the Executive Branch of the Navajo Nation Government. The Retirement Plan Administrator for the NNDRS shall be under the general direction and guidance of the Division Director of the Navajo Division of Human Resources.

II. PURPOSE

The Navajo Nation Department of Retirement Services is established to:

- A. Provide the employees of the Navajo Nation, and participating affiliates including participating certified chapters, with timely, competitive, and financially secure retirement benefits.
- B. Assist retirees and beneficiaries with issues related to their retirement benefits.
- C. Provide technical assistance to all employees and vested terminated employees on their respective retirement benefit provisions, coordinate retirement benefits, answer participants' inquiries, and encourage employee participation in the Navajo Nation 401(k) Savings Plan.
- D. Administer and operate the Retirement Plan for Employees of the Navajo Nation and Participating Affiliates ("Defined Benefit Plan"), the Navajo Nation 401(k) Savings Plan ("Defined Contribution Plan"), and the Deferred Compensation Plan for Political Appointees and Council Delegates of the Navajo Nation ("Deferred Compensation Plan").
- E. Collect participants' census data for the annual actuarial valuation; perform benefit calculations; process benefit payments; and process 401(k) Savings Plan enrollments, loans, hardship withdrawals, and final distributions.
- F. Provide orientations and presentations on the Defined Benefit Plan, Defined Contribution Plan, and Deferred Compensation Plan.
- G. Provide technical assistance and support to the Navajo Nation Retirement Plan Administration Committee ("RPAC"), the Retirement Savings Plan Administration Committee ("RSPAC"), and the Deferred Compensation Plan Administration Committee ("DCPAC"), collectively referred to as the "Retirement Committee."

- H. Provide assistance to the record keeper/trustee in preparing of calculations and payments to eligible employees in the Deferred Compensation Plan.
- I. Prepare Cost-of-Living Adjustments for retirees by researching and recommending the percentage of Cost-of-Living Adjustment to be applied when such increases are approved and authorized by the RPAC and the Budget and Finance Committee.

III. STAFFING AND ORGANIZATION

A. Staffing:

- 1. The position of Retirement Plan Administrator is established to direct the NNDRS and to administer the Retirement Plans. The Retirement Plan Administrator shall be authorized to employ necessary professional, technical, and administrative support personnel to carry out the organizational purposes stated herein.
- 2. All personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.
- 3. The Retirement Plan Administrator shall be hired by the Division Director of the Navajo Division of Human Resources and compensated pursuant to the Navajo Nation Personnel Policies Manual.

B. Organization:

The organization chart of the NNDRS is appended to this Plan of Operation.

IV. RESPONSIBILITY AND AUTHORITY

The Retirement Plan Administrator is authorized and directed to:

- A. Administer the Defined Benefit Plan, Defined Contribution Plan, and Deferred Compensation Plan.
- B. Ensure compliance with applicable federal and Navajo Nation laws, rules, and regulations regarding administration of the Retirement Plans.
- C. Establish and maintain a good working relationship with subordinates, supervisors, officials, the Retirement Committee and the Budget and Finance Committee.
- D. Supervise and aid NNDRS personnel to assist retirees and beneficiaries with problems related to their retirement benefits.

- E. Attend meetings, seminars, and trainings to keep informed of all laws and regulations applicable to tribal governmental retirement plans and deferred compensation plans.
- F. Provide assistance to eligible political-at-will employees, political appointees, elected members of the Navajo Nation Council, and the President and Vice President of the Navajo Nation under the Deferred Compensation Plan.
- G. Coordinate and supervise services provided by the actuaries, record keepers, trustees, attorneys, auditors, and investment advisors to the NNDRS and the Navajo Nation Retirement Plans.

V. LEGISLATIVE OVERSIGHT

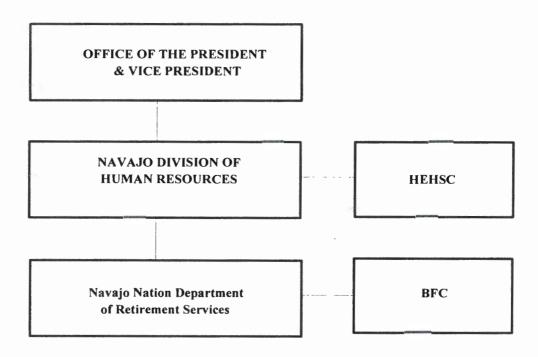
The Budget and Finance Committee of the Navajo Nation Council shall provide legislative oversight for the NNDRS pursuant to 2 N.N.C § 301 (B) (13).

VI. AMENDMENTS

This Plan of Operation may be amended by the Budget and Finance Committee of the Navajo Nation Council.

Navajo Nation Department of Retirement Services

Organizational Chart



RESOLUTION OF THE BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL



22ND NAVAJO NATION COUNCIL - Second Year, 2012

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE; APPROVING THE AMENDMENT OF THE PLAN OF OPERATION FOR THE NAVAJO NATION DEPARTMENT OF RETIREMENT SERVICES, DIVISION OF HUMAN RESOURCES TO REFLECT THE AMENDMENT TO THE NAVAJO NATION COUNCIL TITLE 2 LEGISLATION NO. CAP-10-11

BE IT ENACTED:

- 1. The Navajo Nation finds the Plan of Operation for the Navajo Nation Department of Retirement Services within the Division of Human Services was last amended by Resolution GSCMY-08-04, as found in Exhibit A, attached hereto.
- 2. The Navajo Nation finds that by Resolution CAP-10-11, April 11, 2011, the Navajo Nation Council amended Title 2, Navajo Nation Code, establishing the Budget and Finance Committee as the oversight Committee for the Navajo Nation Department of Retirement Services, Division of Human Services, including the authority to review, recommend or propose the adoption, amendment or rescission of its Plan of Operation, as found in Exhibit B, attached hereto.
- 3. The Navajo Nation hereby approves the amendment of the Plan of Operation for the Navajo Nation Department of Retirement Services, Division of Human Resources, as found in Exhibit C, attached hereto.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor, 0 opposed, this 3rd day of July, 2012.

Jonathan Nez, Vice Chairperson Budget and Finance Committee

Motion: Nelson S. BeGaye Second: Danny Simpson

PLAN OF OPERATION

NAVAJO NATION DEPARTMENT OF RETIREMENT SERVICES

I. ESTABLISHMENT

There is hereby established the Navajo Nation Department of Retirement Services within the Division of Human Resources of the Executive Branch of the Navajo Nation Government. The Retirement Plan Administrator for the Navajo Nation Department of Retirement Services shall be under the general direction and guidance of the Executive Director of the Division of Human Resources.

II. PURPOSE

The Navajo Nation Department of Retirement Services is established to:

- A. Provide the employees of the Navajo Nation and participating affiliates with timely, competitive, and financially secure retirement benefits.
- B. Provide technical assistance to all employees and vested terminated employees on their respective retirement benefit provisions, coordinate retirement benefits, and answer participants' inquiries.
- C. Administer and operate the Regular Retirement (Defined Benefit) Plan, 401 (k) Savings (Defined Contribution) Plan, and the Deferred Compensation/Retirement (Non qualified) Plan.
- D. Collect participants <u>census</u> data for the Annual Actuary Valuation: perform benefits calculations: process benefit payments; and 401 (k) <u>savings plan</u> enrollment, loans, and <u>hardship</u> withdrawal <u>and final</u> distributions.
- E. Provide orientations and presentations on the Retirement Plans, Deferred Compensation/Retirement Plans, and encourage employee participation in the 401(k) Savings Plan.
- F. Provide technical assistance and support to the Navajo Nation Retirement Board (and its predecessor Administration Committee as necessary).
- G. Provide assistance to the record keeper/trustee in preparing of calculations and payments to eligible employees under the Deferred Compensation/Retirement Plan.
- H. Prepare Cost of Living Adjustment for retirees by researching and recommending the percentage of Cost of Living adjustment to the applied when such increases are authorized by law.

III. STAFFING AND ORGANIZATION

A. Staffing:

- i. The position of Retirement Plan Administrator is established and provided for the Navajo Nation Department of Retirement Services. The Retirement Plan Administrator shall be authorized to recruit necessary professional, technical and clerical position to carry out the organizational purposes stated herein.
- All personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.
- iii. The Retirement Plan Administrator shall be hired by the Executive Director of the Division of Human Resources President of the Navajo Nation and compensated pursuant to the Navajo Nation Personnel Policies Manual.

B. Organization:

The organization chart of the Navajo Nation Department of Retirement Services is appended to this Plan of Operation.

IV. RESPONSIBILITY AND AUTHORITY

The Retirement Plan Administrator is authorized and directed to:

- A. Administer the Regular Retirement (<u>Defined Benefit</u>) Plan, Deferred <u>Compensation</u>/Retirement Plan, Deferred Compensation Plan and 401 (k) Savings (<u>Defined Contribution</u>) Plan.
- B. Ensure compliance with applicable federal and Navajo Nation laws, rules and regulations regarding administration of the Regular Retirement (Defined Benefit) plan and 40l (k) Savings (Defined Contribution) Plan.
- C. Establish and maintain a good working relationship with subordinates, supervisors, officials, the Navajo Nation Retirement Board (and predecessor Administration Committee) and oversight committee.
- D. Assist retirees, and beneficiaries of deceased retirees with problems related to their retirement benefits.
- E. Attend meetings, seminars, and training to keep abreast of all new rules and regulations applicable to tribal governmental retirement plans and deferred compensation plans.

- F. Provide assistance to eligible employees, political appointees and elected member of the Navajo Nation Council under the Deferred Compensation/Retirement plan. and Deferred Retirement Plan.
- G. Maintain and coordinate services provided by the actuary, record keeper, trustees, attorneys and other entities of the Navajo Nation Retirement Plans.

V. LEGISLATIVE OVERSIGHT

The Human-Services Budget and Finance Committee of the Navajo Nation Council shall provide legislative oversight for the Department of Retirement Services pursuant to 2 N.N.C. §604 (B) (5) § 301 (8) (13).

VI. AMENDMENTS

This Plan of Operation may be amended by the Government-Services Committee Budget and Finance Committee of the Navajo Nation Council. upon-recommendation of the Human Services Committee of the Navajo Nation Council.

PLAN OF OPERATION

NAVAJO NATION DEPARTMENT OF RETIREMENT SERVICES

I. ESTABLISHMENT

There is hereby established the Navajo Nation Department of Retirement Services within the Division of Human Resources of the Executive Branch of the Navajo Nation Government. The Retirement Plan Administrator for the Navajo Nation Department of Retirement Services shall be under the general direction and guidance of the Executive Director of the Division of Human Resources.

II. PURPOSE

The Navajo Nation Department of Retirement Services is established to:

- A. Provide the employees of the Navajo Nation and participating affiliates with timely, competitive and financially secure retirement benefits.
- B. Provide technical assistance to all employees and vested terminated employees on their respective retirement benefit provisions, coordinate retirement benefits and answer participants' inquiries.
- C. Administer and operate the Regular Retirement (Defined Benefit) Plan, 401(k) Savings (Defined Contribution) Plan, and the Deferred Compensation/Retirement (Non qualified) Plan.
- D. Collect participants census data for the Annual Actuary Valuation: perform benefits calculations: process benefit payments; and 401(k) Savings Plan enrollment, loans and hardship withdrawals and final distributions.
- E. Provide orientations and presentations on the Retirement Plans, Deferred Compensation/Retirement Plans, and encourage employee participation in the 401(k) Savings Plan.
- F. Provide technical assistance and support to the Navajo Nation Retirement Board (and its predecessor Administration Committee as necessary).
- G. Provide assistance to the record keeper/trustee in preparing of calculations and payments to eligible employees under the Deferred Compensation/Retirement Plan.
- H. Prepare Cost of Living Adjustment for retirees by researching and recommending the percentage of Cost of Living Adjustment to the applied when such increases are authorized by law.

III. STAFFING AND ORGANIZATION

A. Staffing:

- The position of Retirement Plan Administrator is established and provided for the Navajo Nation Department of Retirement Services. The Retirement Plan Administrator shall be authorized to recruit necessary professional, technical and clerical position to carry out the organizational purposes stated herein.
- ii. All personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.
- iii. The Retirement Plan Administrator shall be hired by the Executive Director of the Division of Human Resources President of the Navajo Nation and compensated pursuant to the Navajo Nation Personnel Policies Manual.

B. Organization:

The organization chart of the Navajo Nation Department of Retirement Services is appended to this Plan of Operation.

IV. RESPONSIBILITY AND AUTHORITY

The Retirement Pian Administrator is authorized and directed to:

- A. Administer the Regular Retirement (Defined Benefit) Plan, Deferred Compensation/Retirement Plan, and 401(k) Savings (Defined Contribution) Plan.
- B. Ensure compliance with applicable federal and Navajo Nation laws, rules and regulations regarding administration of the Regular Retirement (Defined Benefit) Plan and 401(k) Savings (Defined Contribution) Plan.
- C. Establish and maintain a good working relationship with subordinates, supervisors, officials, the Navajo Nation Retirement Board (and predecessor Administration Committee) and oversight committee.
- D. Assist retirees and beneficiaries of deceased retirees with problems related to their retirement benefits.

- E. Attend meetings, seminars and trainings to keep abreast of all new rules and regulations applicable to tribal governmental retirement plans and deferred compensation plans.
- F. Provide assistance to eligible employees, political appointees and elected member of the Navajo Nation Council under the Deferred Compensation/Retirement Plan.
- G. Maintain and coordinate services provided by the actuary, record keeper, trustees, attorneys and other entities of the Navajo Nation Retirement Plans.

V. LEGISLATIVE OVERSIGHT

The Budget and Finance Committee of the Navajo Nation Council shall provide legislative oversight for the Department of Retirement Services pursuant to 2 N.N.C. § 301 (B) (13).

VI. ADMENDMENTS

This Plan of Operation may be amended by the Budget and Finance Committee of the Navajo Nation Council.

NAVAJO NATION

Department of Retirement Services

Organizational Chart - Fiscal Year 2012

DIVISION OF

HUMAN RESOURCES

Department of Retirement Services

22nd NAVAJO NATION COUNCIL

Second Year 2012

Mr. Speaker:

The BUDGET & FINANCE COMMITTEE to whom has been assigned

NAVAJO LEGISLATIVE BILL #0248-12:

An Action Relating to Budget and Finance Committee; Approving the Amendment of the Plan of Operation for the Navajo Nation Department of Retirement Services, Division of Human Resources to Reflect the Amendment to the Navajo Nation Council Title 2 Legislation No. CAP-10-11 Sponsor: LoRenzo Bates. Council Delegate

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

Respectfully submitted,

Jonathan Nez, Vice Chairman

Adopted: Hogislative Advisor

Not Adopted:

Legislative Advisor

Date: 3 July 2012

The vote was 3 in favor o opposed

Excused:
Absent:

July 19, 2012

MEMORANDUM

TO

Dominic Beyal, Director

Office Management and Budget

FROM

Rodger Martinez, Plan Administrator Department of Retirement Services DIVISION OF HUMAN RESOURCES

SUBJECT:

Revised Plan of Operation (BFJY-35-12)

authority for the Navajo Nation Department of Retirement Service as follows:

Enclosed is the amended Plan of Operation for the Navajo Nation Department of Retirement Services. This amendment was completed in accordance with the amendment to the Navajo Nation Council Title 2. (Legislation No. CAP-10-11). The legislation established the Budget and Finance Committee as the oversight

§ 301 Powers: (B) The committee shall have the following enumerated powers: (13) to conduct oversight of the functions of the office of the Controller, the Office of Management and Budget, the Office of the Auditor General, the Office of the Navajo Tax Commission, the Navajo Tax Commission, the Insurance Services Department, the Insurance Commission and Retirement Services Department and to review, recommend or propose the adoption, amendment or recession of its Plan of Operation.

The amended Plan of Operation restates the Plan of Operation as approved by the Government Services Committee (GSCMY-08-04) establishing the former Human Services Committee as the previous oversight committee for the Navajo Nation Department of Retirement Services.

if additional information is required, I can be contacted at (928) 871-6947.

Attachments

Xc: Subject file



BUDGET AND FINANCE COMMITTEE

September 18, 2018 Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0296-18:

An Action Relating to Budget and Finance Committee; Approving Amendments to the Navajo Nation Department of Retirement Services Plan of Operation Sponsored by Seth A. Damon, Council Delegate

Motion: Tom T. Chee

Second: Tuchoney Slim, Jr.

Vote: 4-0, Vice Chairman not voting

Vote Tally:

Seth A. Damon	yea
Dwight	
Witherspoon	
Tom T. Chee	yea
Lee Jack, Sr.	yea
Leonard Tsosie	
Tuchoney Slim, Jr.	yea

Absent: Leonard Tsosie

Dwight Witherspoon, Vice Chairman

Budget & Finance Committee

Peggy Nakai, Legislative Advisor

Budget & Finance Committee