

**LEGISLATIVE SUMMARY SHEET**  
**Tracking No. 0346-17**

**DATE:** August 30, 2017

**SUBJECT** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING THE NAVAJO PERSONNEL POLICIES MANUAL, PART V, SECTION A-1. CATEGORIES OF EMPLOYMENT- STATUS-REGULAR FULL-TIME; ESTABLISHING ALL REGULAR FULL TIME EMPLOYEES AS EMPLOYED IN PERIODS OF TWO YEAR INCREMENTS, WITH RENEWAL OF ADDITIONAL TWO YEAR PERIODS BEING DEPENDENT ON RECEIVING A SATISFACTORY EMPLOYMENT PERFORMANCE RATING

**PURPOSE:** The purpose of this legislation is to establish two year employment periods for all regular full time Navajo Nation Employees.

**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: SNOTAH  
Website Posting Time/Date: 8:45pm 9/1/2017  
Posting End Date: 9/6/2017  
Eligible for Action: 9/7/2017

PROPOSED NAVAJO NATION COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL -- Third Year, 2017

INTRODUCED BY

  
(Prime Sponsor)

TRACKING NO. 0346-17

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES;  
AMENDING THE NAVAJO PERSONNEL POLICIES MANUAL, PART V, SECTION  
A-1. CATEGORIES OF EMPLOYMENT- STATUS-REGULAR FULL-TIME;  
ESTABLISHING ALL REGULAR FULL TIME EMPLOYEES AS EMPLOYED IN  
PERIODS OF TWO YEAR INCREMENTS, WITH RENEWAL OF ADDITIONAL  
TWO YEAR PERIODS BEING DEPENDENT ON RECEIVING A SATISFACTORY  
EMPLOYMENT PERFORMANCE RATING

**BE IT ENACTED:**

**SECTION ONE. AUTHORITY**

A. The Health, Education and Human Services Committee of the Navajo Nation Council,  
among other duties and responsibilities, generally oversees the Division of Human  
Resources within the Navajo Nation. 2 N.N.C. §400(C) (1).

**SECTION TWO. FINDINGS**

A. Employees of the Navajo Nation, Executive and Judicial Branches are subject to the  
employment policies and procedures of The Navajo Nation Personnel Policies Manual  
as amended.

- 1 B. The efficiency and effectiveness of the programs of the Navajo Nation depends on the  
2 quality of performance of all of the Navajo Nation employees and such excellence in  
3 performance insures a positive benefit to the Navajo People.
- 4 C. Establishing two year employment periods with renewal subject to receiving a  
5 satisfactory employment performance rating will provide additional incentive for the  
6 development of excellence in performance thereby benefiting the Navajo Nation.
- 7 D. The implementation of the two year employment period concept will apply to all  
8 regular full-time employees of the Executive and Legislative Branches of the Navajo  
9 Nation.
- 10 E. It is in the best interest of the Navajo Nation in order to improve overall program  
11 efficiency, effectiveness and accountability of all programs that all regular full time  
12 employees be employed for two year employment periods with renewal of additional  
13 two year periods dependent on receiving a satisfactory employment evaluation.

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15 **SECTION THREE. AMENDING THE NAVAJO NATION PERSONNEL POLICIES**  
16 **MANUAL**

17

18 The Navajo Nation amends the Navajo Nation Personnel Policies Manual as follows:

19 \_\_\_\_\_

20

21 **THE NAVAJO NATION PERSONNEL POLICIES MANUAL**

22 \* \* \* \*

23 **PART V. EMPLOYMENT STATUS**

24 Employment status varies with the position and conditions of employment. Supervisors,  
25 working jointly with the Department of Personnel Management shall ensure that employees  
26 are properly designated.

27 A. The Navajo Nation has six categories of employment status.

28 1. Regular full-time

29 Employees who are hired to work the regularly established 40-hour workweek  
30 and who remain employed full-time upon completion of the introductory period.

1           Said employees shall be employed for periods of two year increments  
2           commencing upon completion of the introductory period. Renewal of each two  
3           year employment period shall be dependent upon the employee receiving a  
4           satisfactory employment evaluation.

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6           \* \* \* \*

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9   **SECTION FOUR. EFFECTIVE DATE**


10           Insofar as this legislation effects all of the full-time employees of the Executive  
11           Branch as well as those of the Legislative Branch, of the Navajo Nation, the provisions of  
12           this resolution shall become effective upon concurrence of the President of the Navajo  
13           Nation and shall be applicable to all positions as they become vacant because of  
14           retirement, resignation, termination, promotion, layoff and transfer other than to acting  
15           status as determined by the Department of Personnel Management.

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**MEMORANDUM**

**TO:** Honorable Dwight Witherspoon  
Navajo Nation Council

**FROM:**   
Edward A. McCool, Principal Attorney  
Office of Legislative Counsel

**DATE:** August 30, 2017

**SUBJECT:** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING THE NAVAJO PERSONNEL POLICIES MANUAL, PART V, SECTION A-1. CATEGORIES OF EMPLOYMENT- STATUS-REGULAR FULL-TIME; ESTABLISHING ALL REGULAR FULL TIME EMPLOYEES AS EMPLOYED IN PERIODS OF TWO YEAR INCREMENTS, WITH RENEWAL OF ADDITIONAL TWO YEAR PERIODS BEING DEPENDENT ON RECEIVING A SATISFACTORY EMPLOYMENT PERFORMANCE RATING

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0346-17\_\_\_\_\_

SPONSOR: Dwight Witherspoon

**TITLE: An Action Relating to Health, Education and Human Services; Amending the Navajo Personnel Policies Manual, Part V, Section A-1. Categories of Employment- Status- Regular Full-Time; Establishing all Regular Full Time Employees as Employed in Periods of Two Year Increments, with Renewal of Additional two year periods being dependent on receiving a satisfactory employment performance rating**

**Date posted: September 1, 2017 at 8:45pm**

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0346-17**

**SPONSOR: Honorable Dwight Witherspoon**

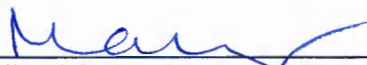
**TITLE: An Action Relating To Health, Education and Human Services; Amending the Navajo Personnel Policies Manual, Part V, Section A-1. Categories of Employment- Status Regular Full-Time; Establishing all Regular Full Time Employees as Employed in Periods of Two Year Increments, with Renewal of Additional two year periods being dependent on receiving a satisfactory employment performance rating.**

**Posted: September 1, 2017 at 8:45pm**

**5 DAY Comment Period Ended: September 6, 2017**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Inclusive Comments</b>	<i>None</i>



**Legislative Secretary II  
Office of Legislative Services**

9/7/2017 8:41am

**Date/Time**

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to who has been assigned;

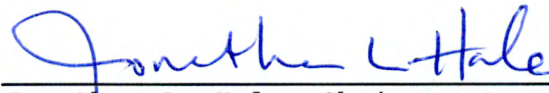
LEGISLATION NO. 0346-17

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING THE NAVAJO PERSONNEL POLICIES MANUAL, PART V, SECTION A-1. CATEGORIES OF EMPLOYMENT-STATUS-REGULAR FULL-TIME; ESTABLISHING ALL REGULAR FULL TIME EMPLOYEES AS EMPLOYED IN PERIODS OF TWO YEAR INCREMENTS, WITH RENEWAL OF ADDITIONAL TWO YEAR PERIODS BEING DEPENDENT ON RECEIVING A SATISFACTORY EMPLOYMENT PERFORMANCE

*Sponsor: Honorable Dwight Witherspoon*

Has had under consideration and report the same with the recommendation that Legislation 0346-17 **FAILED** with no amendment and no directive; and the **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL** is final authority.

Respectfully Submitted,



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Jonathan L. Hale, Chairperson  
Health, Education and Human Services Committee

Dated: October 30, 2017

**Main Motion**

Motion by: Honorable Norman M. Begay

Seconded by: Honorable Nelson BeGaye

Vote: 0 in favor; 4 Opposed; Chairperson Not Voting