

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL - Second Year, 2016

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, AND
NAABIK'ÍYÁTI' COMMITTEES; AMENDING THE DEPARTMENT OF
PERSONNEL MANAGEMENT PLAN OF OPERATION TO MAKE THE POSITION
OF DEPARTMENT OF PERSONNEL MANAGEMENT DIRECTOR A
PROFESSIONAL AT WILL POSITION

BE IT ENACTED:

Section One. Findings

- A. The Health, Education and Human Services ("HEHS") Committee serves as the oversight authority for the Division of Human Resources. 2 N.N.C. §401(C)(1).
- B. The Naabik'íyáti' Committee of the Navajo Nation Council pursuant to 2 N.N.C. § 164(A)(9), reviews proposed legislation which requires final action by the Navajo Nation Council.
- C. The Department of Personnel Management ("DPM") is a department within the Division of Human Resources. See DPM Plan of Operation attached as Exhibit A.
- D. DPM purpose is "planning, organizing, and administering the personnel management services and programs of the Executive and Legislative Branches of the Navajo Nation Government." DPM Plan of Operation § II(A), see Exhibit A.
- E. Currently, the Personnel Director of the Department of Personnel Management is a regularly hired Navajo Nation employee subject to the hiring procedures set out in the Navajo Nation Personnel Policies and Procedures Manual; however, the position carries extended responsibilities over two government branches.

F. Pursuant to the Navajo Nation Personnel Policies and Procedures Manual, Section V, (A)(4)(a) "Professional at-will employees are those who serve at the pleasure of the Attorney General, Chief Prosecutor, Executive Director of the Navajo Nation Washington Office, the Public Defender Commission, or other official or employee as provided by Navajo Nation law."

G. It is in the best interest of the Navajo Nation to amend the Department of Personnel Management Plan of Operation to make the position of Personnel Director of the Department of Personnel Management a professional at will position.

Section Two. Amendments to Department of Personnel Management Plan of Operation

Plan of Operation
Department of Personnel Management

III. PERSONNEL PLANNING AND ORGANIZATION

A. Personnel

1. The position of Personnel Director is hereby established as a professional at-will employee who serves at the pleasure of an official of the Navajo Nation, such being the Division Director, Division of Human Resources. The Personnel Director shall exercise supervisory control and direction for a staff of a technical and specialized nature and related activities.
2. The Personnel Director shall be hired and report to the Division Director of the Division of Human Resources.
3. The Personnel Director shall be authorized to establish other necessary professional, technical and clerical positions as needed to carry out the organizational duties and responsibilities stated herein.
4. All personnel, except the Personnel Director, shall be hired and compensated in accordance with the Navajo Nation Personnel Policies Manual.

Section Three. Approval of the Department of Personnel Management Plan of Operation

The Navajo Nation approves the Department of Personnel Management Plan of Operation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Twin Arrows, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 12 in favor, 01 oppose, this 13th day of April, 2016.



LoRenzo Bates, Chairperson
Naabik'íyáti' Committee

Motion: Honorable Davis Filfred
Second: Honorable Seth Damon

GSCMA-10-09

RESOLUTION OF THE
GOVERNMENT SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL

21ST NAVAJO NATION COUNCIL - THIRD YEAR, 2009

AN ACTION

RELATING TO HUMAN SERVICES AND GOVERNMENT SERVICES;
AMENDING THE PLAN OF OPERATION FOR THE DEPARTMENT OF
PERSONNEL MANAGEMENT WITHIN THE DIVISION OF HUMAN RESOURCES

BE IT ENACTED:

1. The Navajo Nation hereby amends the Plan of Operation for the Department of Personnel Management within the Division of Human Resources, as set forth in the attached Exhibit A.
2. The Plan of Operation for the Department of Personnel Management approved herein reflects the removal of the Staff Development and Training Program from the Department of Personnel management by Resolution GSCMA-11-07.
3. The Plan of Operation for the Department of Personnel Management approved herein shall replace and supersede all previous plans of operation for the Department of Personnel Management, including Resolution GSCMY-08-04, Exhibit B.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Government Services 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 7 in favor, 0 opposed, this 24th day of March, 2009.



Ervin M. Keeswood, Sr., Chairperson
Government Service Committee

Motion: Leonard Teller
Second: Orlanda Smith Hodge

ORIGINAL



The Navajo Nation

DEPARTMENT OF PERSONNEL MANAGEMENT

JOE SHIRLEY, JR.
PRESIDENT

BEN SHELLY
VICE-PRESIDENT

January 15, 2009

THE HUMAN SERVICES COMMITTEE
The Navajo Nation Council
Window Rock, Arizona 86515

Dear Committee Members:

RE: Plan of Operation Amendment

In October 2006 the Office of the President, Dr. Joe Shirley issued a directive designating the Department of Personnel Management as the organization that will be responsible for the background investigations and background checks for Navajo Nation employees, volunteers and prospective employees that work with or will work with child care services and all positions considered "public trust" positions.

The Department of Personnel Management has been working with the Background Investigation Task Force to get this program going for the past two years. This program is being set up under the department and has not been established as a separate department yet. However, we need to amend the Department of Personnel Management Plan of Operation for the following reasons:

- A. The Division of Human Resources removed the Staff Development & Training Program from the Department of Personnel Management but the Plan of Operation has not been updated. There has not been an update since 2004 by the committee.
- B. The new Employee Relations/Background Investigations Office is being established under the Department of Personnel Management and needs to be put in as part of the department's Plan of Operation in order to continue utilizing funds and personnel for the new office.
- C. The Employee Relations/Background Investigations Office is setting up an office in the Tse' Bonito Business Plaza and therefore needs to be approved to operate under the Department of Personnel Management.
- D. The Employee Relations/Background Investigations Office will become a separate department in the future but that will take time to establish the approval for a separate account plus other requirements.

We appreciate your time and consideration of this amendment to the Department of Personnel Management's Plan of Operation.

Respectfully,

Bernadette Bernally

Ms. Bernadette Bernally, Director, DPM

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EXHIBIT A

DEPARTMENT OF PERSONNEL
MANAGEMENT
ORGANIZATIONAL CHART

DIVISION OF
HUMAN RESOURCES

DEPARTMENT
OF
PERSONNEL MANAGEMENT

~~Staff Development & Training Program~~
Employee Relations /
Background Investigations

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PLAN OF OPERATION
DEPARTMENT OF PERSONNEL MANAGEMENT

I. DEPARTMENT OF PERSONNEL MANAGEMENT

There is hereby established the Department of Personnel Management within the Division of Human Resources.

II. PURPOSE

The purpose of the Department of Personnel Management is to:

A. Plan, organize and administer the personnel management services and programs of the Executive and Legislative Branches of the Navajo Nation Government, including but not limited to, recruitment, staffing, compensation, benefits and employment development; and

B. Provide guidance and advice to supervisors in implementing personnel management policies, procedures and programs in accordance with applicable laws, rules and regulations; and

C. Support and advise executive level management in human resources planning.

III. PERSONNEL PLANNING AND ORGANIZATION

A. Personnel

1. The position of Personnel Director is hereby established. The Personnel Director shall exercise supervisory control and direction for a staff of a technical and specialized nature and related activities.

2. The Personnel Director shall be hired by and report to the Division Director of the Division of Human Resources.

3. The Personnel Director shall be authorized to establish other necessary professional, technical and clerical positions as needed to carry out the organizational duties and responsibilities stated herein.

4. All personnel shall be hired and compensated in accordance with the Navajo Nation Personnel Policies Manual.

B. Organization

1 1. The Department of Personnel Management shall be comprised of such
2 administrative components as may be deemed necessary to carry out the purposes,
3 responsibilities and authority stated herein.

4 2. In addition, the Department of Personnel Management will include the
5 following program component:

6 a. ~~Staff Development and Training Program~~

7 Employee Relations/Background Investigations Office

8 3. The Department of Personnel Management is hereby authorized to
9 establish local services as may be deemed necessary and appropriate.

10 **IV. RESPONSIBILITY AND AUTHORITY**

11 The Department of Personnel Management, under the general supervision of the
12 Personnel Director, has the responsibilities and authority to:

13 A. Administer and enforce the approved Navajo Nation Personnel Policies.

14 B. Develop and implement policies and programs necessary to carry out the
15 intent and purposes of the Navajo Nation Personnel Policies Manual and other applicable
16 employment and labor laws, rules and regulations, and providing an effective
17 recruitment, staffing and placement program designed to attract and retain employees.

18 C. Develop and implement policies and programs necessary to carry out the
19 intent and purposes, procedures and programs, and initiate amendments and changes as
20 necessary.

21 D. Delegate certain responsibilities and authorities as necessary and appropriate.
22 Such delegation shall be in writing and will contain specific information as to delegated
23 responsibilities and authorities.

24 E. Develop, implement, conduct and evaluate employee development and
25 orientation programs.

26 F. Administratively resolve grievances, disputes and Human Resources issues by
27 meeting with the parties involved to achieve mutual agreement and understanding,
28 consistent with Navajo Nation Law.

29 G. Approve administrative agreements regarding grievances cases and enforce
30 such agreements.

1 H. Establish and maintain a viable, effective job evaluation plan and administer
2 an equitable wage and salary program consistent with the Personnel Policies Manual.

3 I. Participate in program planning and represent the Navajo Nation Government
4 within the areas of assigned responsibilities and authority in dealing with persons and
5 organizations outside the Navajo Nation Government.

6 J. Develop and implement a training background investigation component that
7 provides continuous training background checks for all Navajo Nation programs and
8 employees, volunteers, and prospective employees.

9 K. Assess and evaluate the organizational training needs by utilizing assessments
10 and surveys.

11 L. Provide ongoing employees and personnel orientations to Navajo Nation
12 programs and employees.

13 M. Serve on commissions, boards and committees as required.

14 N. Recommend appropriate legislation as necessary.

15 **V. LEGISLATIVE OVERSIGHT**

16 Pursuant to 2 N.N.C. §604(B)(5), the Human Services Committee of the Navajo
17 Nation Council is the legislative oversight committee for the Department of Personnel
18 Management.

19 **VI. AMENDMENTS**

20 Sections I through V may be amended from time to time by the Government Services
21 Committee of the Navajo Nation Council upon recommendation from the Human
22 Services Committee of the Navajo Nation Council as deemed appropriate.
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