

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL - Third Year, 2017

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING THE
NAVAJO NATION PERSONNEL POLICIES MANUAL, SECTION VII. SALARY
AND WAGE ADMINISTRATION ESTABLISHING A TIMELINE FOR STEP
INCREASE/BONUS REVIEW COMMITTEE ACTION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council established the Health, Education and Human Services ("HEHS") Committee as a standing committee with the purpose to oversee Navajo Nation efforts in implementing and ensuring compliance with Navajo Nation employment and labor laws and policies. 2 N.N.C. §§ 400(A) and (C)(3).
- B. The Health, Education and Human Services Committee shall have the enumerated powers to establish Navajo Nation policy, promulgate rules and regulations governing the Navajo Nation's human services. 2 N.N.C. § 401 (B)(1).
- C. The Health, Education and Human Services Committee serves as the oversight for the Division of Human Resources. 2 N.N.C. § 401 (C)(1).

SECTION TWO. FINDINGS

- A. The Navajo Nation Personnel Policies Manual ("NNPPM") may be amended from time to time by the Health, Education and Human Services Committee at the recommendation of the Division of Human Resources, which include the Department of Personnel Management and the divisions of the Executive Branch and Legislative Branch. Navajo Nation Personnel Policies Manual, § I (D) (January 1, 2015).

- B. The NNPPM was amended January 30, 2017, by Health, Education and Human Resources Committee Resolution HEHSCJA-02-17, to require review and approval of merit pay bonuses and bonus payments; such review will be by a representative committee comprised of a representative from, and appointed by the Directors of, the Department of Justice, Division of Human Resources, Department of Personnel Management, and the Office of Legislative Services. See Exhibit "A".
- C. The amendments to the NNPPM made by HEHSCJA-02-17 require in part that "All Step increases shall be reviewed and approved by a committee, meeting monthly, comprised of a representative from, and appointed by the head of, the Department of Justice, Division of Human Resources, Department of Personnel Management, and the Office of Legislative Services and will be referred to the Step Increase/Bonus Review Committee." See No. 6 Step Increase, "c", HEHSCJA-02-17 at Exhibit "A".
- D. The Step Increase/Bonus Review Committee established by HEHSCJA-02-17 failed to meet monthly as required by the NNPPM, as amended.
- E. The Health, Education and Human Services Committee finds it to be in the best interest of the Navajo Nation and its employees that recommendations for employee step increases and merit increases not be unduly delayed due to the failure of the Step Increase/Bonus Review Committee to meet monthly as required by the NNPPM, as amended.

SECTION THREE. AMENDMENTS

The Navajo Nation hereby amends Sections VII of the Navajo Nation Personnel Policies Manual as follows:

VII. SALARY AND WAGE ADMINISTRATION

G. Pay Adjustments

6. Step Increases

A regular status (full-time and part-time) employee whose performance is rated as "Significantly Exceed Standards" or

"Outstanding" will receive a step increase pursuant to the following:

- a. An employee must have been in his/her current position for at least six months during the current rating period.
- b. The step increase will be effective one year from the date of the last step increase or on the employee's anniversary date, if the employee is at Step "A", "B", "C", "D", or "E", two years from the date of the last step increase or on the employee's anniversary date, if the employee is at Steps "F", "G", "H", or "I", or three years at Steps "J" and "K". If the employee is at Step "L", no step increase will occur.
- c. All step increases shall be reviewed and approved by a committee, meeting monthly, comprised of a representative from, and appointed by the heads of the Department of Justice, Division of Human Resources, Department of Personnel Management, and the Office of Legislative Services and will be referred to as the Step Increase/Bonus Review Committee.
- d. All step increases not reviewed within thirty (30) days of receipt by the Step Increase/Bonus Review Committee shall be considered approved.

I. Merit Pay Bonus

Merit Pay Bonus payments are lump sum payments, excluding applicable taxes and deductions, awarded to employees for performance.

1. Cash awards may be given to eligible employees based on their overall performance during the applicable rating period.

a. Eligibility for Merit Pay

- 1) An employee must be regular status (full-time and part-time) with at least one year of continuous service with the Navajo Nation and six months in his/her current position.

- 2) An employee must be recommended for merit pay by the immediate supervisor and approved by the Step Increase/Bonus Review Committee. All eligible merit pay bonus payment recommendations not reviewed within thirty (30) days of receipt by the Step Increase/Bonus Review Committee shall be considered approved.
- 3) An employee must have an overall performance rating of "Significantly Exceeds Standards" or "Outstanding".
- 4) An employee is deemed ineligible for merit pay if he/she terminates employment prior to approval by the Step Increase/Bonus Review Committee referenced above.
- 5) An employee must not have received a step increase or bonus for the same rating period.

2. Merit bonus payments will be processed in accordance with procedures developed and issued by Department of Personnel Management and approved by the Step Increase/Bonus Review Committee.

J. Bonus Payments

When it is determined by the Department of Personnel Management to be in the best interest of the Navajo Nation, bonus payments may be considered and approved by the Step Increase/Bonus Review Committee and the Committee will address these requests on a case-by-case basis. All bonus payment recommendations not reviewed within thirty (30) days of receipt by the Step Increase/Bonus Review Committee shall be considered approved.

SECTION FOUR. APPROVAL OF THE AMENDMENTS TO THE NAVAJO NATION PERSONNEL POLICIES MANUAL

The Health, Education and Human Services Committee of the Navajo Nation Council approves the amendments of the Navajo Nation Personnel Policies Manual.

SECTION FIVE. EFFECTIVE DATE

The effective date of the amendments to the Navajo Nation Personnel Policies Manual is the date it is certified by the presiding Chairperson of the Health, Education and Human Services Committee of the Navajo Nation Council.

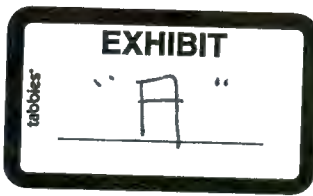
CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Health, Education and Human 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 2 in favor and 1 opposed, this 13th day of November, 2017



Norman M. Begay, Vice Chairperson
Health, Education and Human Services Committee

Motion: Honorable Amber Kanazbah Crotty
Second: Honorable Nelson S. BeGaye



RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICE COMMITTEE
OF the 23rd Navajo Nation Council - Third Year, 2017

AN ACTION
RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING
THE NAVAJO NATION PERSONNEL POLICIES MANUAL, SECTION VII.
SALARY AND WAGE ADMINISTRATION AND ESTABLISHING THE STEP
INCREASE/BONUS REVIEW COMMITTEE

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council established the Health, Education and Human Services ("HEHS") Committee as a standing committee with the purpose to oversee Navajo Nation efforts in implementing and ensuring compliance with Navajo Nation employment and labor laws and policies. 2 N.N.C. §§400(A) and (C)(3).
- B. The Health, Education and Human Services Committee shall have the enumerated powers to establish Navajo Nation policy, promulgate rules and regulations governing the Navajo Nation's human services. 2 N.N.C. §401(B)(1).
- C. The Health, Education and Human Services Committee serves as the oversight for the Division of Human Resources. 2 N.N.C. §401(C)(1).

Section Two. Findings

- A. The Navajo Nation Personnel Policies Manual ("NNPPM") may be amended from time to time by the Health, Education and Human Services Committee at the recommendation of the Division of Human Resources, which include the Department of Personnel Management and the divisions of the Executive Branch and Legislative Branch. Navajo Nation Personnel Policies Manual, § I (D) (Jan. 1, 2015).

- B. There is a need to amend the NNPPM to require review and approval of merit pay bonuses and bonus payments; such review will be by a representative committee comprised of a representative from, and appointed by the Directors of, the Department of Justice, Division of Human Resources, Department of Personnel Management, and the Office of Legislative Services.
- C. The proposed amendments to the NNPPM were provided to the Division of Human Resources with a request for a recommendation of the Division of Human Resources; however, the Division of Human Resources has not responded with a recommendation, and it remains in the best interest of the Navajo Nation to amend the NNPPM. See attached EXHIBIT A.

Section Three. Amendments

The Navajo Nation hereby amends Sections VII of the Navajo Nation Personnel Policies Manual as follows:

VII. SALARY AND WAGE ADMINISTRATION

G. Pay Adjustments

6. Step Increases

A regular status (full-time and part-time) employee whose performance is rated as "Significantly Exceed Standards" or "Outstanding" will receive a step increase pursuant to the following:

- a. An employee must have been in his/her current position for at least six months during the current rating period.
- b. The step increase will be effective one year from the date of the last step increase or on the employee's anniversary date, if the employee is at Step "A",

"B", "C", "D", or "E", two years from the date of the last step increase or on the employee's anniversary date, if the employee is at Steps "F", "G", "H", or "I", or three years at Steps "J" and "K". If the employee is at Step "L", no step increase will occur.

- c. All step increases shall be reviewed and approved by a committee, meeting monthly, comprised of a representative from, and appointed by the heads of, the Department of Justice, Division of Human Resources, Department of Personnel Management, and the Office of Legislative Services and will be referred to as the Step Increase/Bonus Review Committee.

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a. Eligibility for Merit Pay

- 1) An employee must be regular status (full-time and part-time) with at least one year of continuous service with the Navajo Nation and six months in his/her current position.
- 2) An employee must be recommended for merit pay by the immediate supervisor and approved by the ~~Department of Personnel Management~~. Step Increase/Bonus Review Committee.
- 3) An employee must have an overall performance rating of "Significantly Exceeds Standards" or "Outstanding."
- 4) An employee is deemed ineligible for merit pay if he/she terminates employment prior

to the ~~Department of Personnel Management~~
~~approval.~~ approval by the Step
Increase/Bonus Review Committee referenced
above.

- 5) An employee must not have received a step increase or bonus for the same rating period.

2. Merit bonus payments will be processed in accordance with procedures developed and issued by Department of Personnel Management, and approved by the Step Increase/Bonus Review Committee.

J. Bonus Payments

When it is determined by the Department of Personnel Management to be in the best interest of the Navajo Nation, bonus payments may be considered and approved by the Step Increase/Bonus Review Committee and the Committee ~~Department of Personnel Management~~ will address these requests on a case-by-case basis.

Section Four. Approval of the Amendments to the Navajo Nation Personnel Policies Manual

The Health, Education and Human Services Committee of the Navajo Nation Council approves the amendments of the Navajo Nation Personnel Policies Manual.

Section Five. Effective Date

The effective date of the amendments to the Navajo Nation Personnel Policies Manual is the date it is certified by the presiding Chairperson of the Health, Education and Human Services Committee of the Navajo Nation Council.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Health, Education and Human Services Committee Of the 23rd Navajo Nation Council at duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 1 abstained this 30th day of January, 2017.



Jonathan L. Hale, Chairperson
Health, Education and Human Service Committee
of the 23rd Navajo Nation Council

Main Motion Held By: Peterson B. Yazzie

Second By: Nathaniel Brown

Vote: 3 in favor, 0 Opposed, 1 abstain (Chairperson not voting)