

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.

14

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.

5
6 * * * *

7
8
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.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30



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

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:

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



**Legislative Secretary II
Office of Legislative Services**

9/7/2017 8:41am

Date/Time