



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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Navajo Nation Council supports increased accountability of Navajo programs

WINDOW ROCK – During the 2017 Fall Council Session, the 23rd Navajo Nation Council approved Legislation No. 0101-17, which amends the Navajo Nation Preference in Employment Act to provide for the addition of program managers of the executive branch as a class of employees exempt from the “Just Cause” provisions of the act.

According to the legislation, program managers are defined as “anyone who has the authority to hire, terminate, discipline, or otherwise initiate personnel action.” The “Just Cause” provisions currently only apply to regular status employees, and states, “employers shall not penalize, discipline, discharge nor take any adverse action against any Navajo employee without just cause.”

It goes on to state that “program managers of the Executive Branch of the Navajo Nation perform a crucial role in the implementation, efficiency and effectiveness of the programs of the Navajo Nation in a manner that [ensures] a positive benefit to the Navajo people.”

Legislation sponsor Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinõn, Whippoorwill) said that in order to hold program managers within each division accountable for the performance within their respective programs, they would need to be classified as “at-will” employees, similar to division directors.

“The purpose is to be able to hold our employees and supervisors more accountable to carry out the work and the many needs of the nation. Many of these programs provide direct services to our Navajo people and when a program is failing, the person managing the program needs to be held accountable. We want all our Navajo programs to be successful, that’s our goal,” said Delegate Witherspoon.

Delegate Witherspoon added that in recent talks with the Office of the President and Vice President, they expressed their support for the amendment to the NNPEA.

If program managers are classified as at-will employees, it would mean their supervisors can discharge the program manager for any reason at all or no reason at all, with or without notice.

However, the program manager can resign at any time for any or no reason at all, with or without notice, states the legislation.

Members of the Navajo Nation Council voted 8-7 to approve Legislation No. 0101-17. The President will have ten calendar days to consider the bill once it is sent to the Office of the President and Vice President.

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