

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0003-19__

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action To NAABIK'IYATI' Committee And The Navajo Nation Council; Rescinding CO-60-17

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0003-19

DATE: January 16, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; RESCINDING CO-60-17

PURPOSE: If approved, this resolution will rescind CO-60-17 titled *Amending "The Navajo Preference in Employment Act" at 15 N.N.C. §§ 603, 604(B)(8) 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.*

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 to review each proposed resolution in detail.

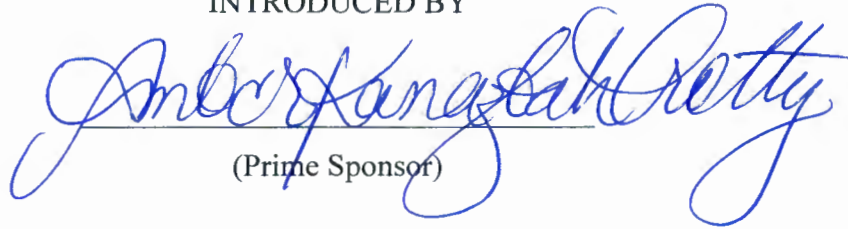
5-DAY BILL HOLD PERIOD: SNOTAH
Website Posting Time/Date: _____
Posting End Date: 1-23-19
Eligible for Action: 1-24-19

Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION

2 24th NAVAJO NATION COUNCIL – First Year, 2019

3 INTRODUCED BY

4 
5
6 (Prime Sponsor)

7
8 TRACKING NO. 0003-19

9
10 AN ACTION

11 RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION
12 COUNCIL; RESCINDING CO-60-17

13
14 BE IT ENACTED:

15 **Section One. Authority**

- 16 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C
17 §102 (A).
18 B. Pursuant to 2 N.N.C. §164 (A)(9), a proposed resolution that requires final action by
19 the Navajo Nation Council shall be assigned to the Naabik'iyáti' Committee before it
20 is heard by the Navajo Nation Council.

21
22 **Section Two. Findings**

- 23 A. In October 2017, the Navajo Nation Council passed Resolution CO-60-17 titled
24 *Amending "The Navajo Preference in Employment Act" at 15 N.N.C. §§ 603,*
25 *604(B)(8) to Provide For The Addition of Program Managers of The Executive*
26 *Branch as a Class of Employees Exempt From the Just Cause Provisions of The Act.*
27 *See CO-60-17 attached hereto as **Exhibit A.***
28 B. Resolution CO-60-17 amended the Navajo Preference in Employment Act ("NPEA"),
29 15 N.N.C. §§ 603 and 604(B)(8) to include the addition of Program Managers as
30 exempt from the just cause provision of the NPEA.

- 1 C. Resolution CO-60-17 was enacted by statute on November 6, 2017, after the Navajo
2 Nation President did not sign the resolution within the statutory 10 day period and the
3 effective date of CO-60-17 was one year after the Resolution became effective but
4 also became effective for all program manager positions as those positions became
5 vacant due to retirement, resignation, termination, promotion, layoff or transfer of the
6 persons occupying those positions.
- 7 D. The Navajo Department of Personnel Management has notified all programs,
8 departments and the Executive and Legislative Branches to revise the Personnel
9 Action Forms for all program managers defined by CO-60-17.
- 10 E. Resolution CO-60-17 has affected a large number of Navajo Nation employees and is
11 ripe for abuse by supervisors who are now free from the just cause requirement of the
12 NPEA and may freely terminate program managers potentially leading to a slow-
13 down in program services to Navajo citizens.

14
15 **Section Three. Rescinding CO-60-17**

- 16 A. The Navajo Nation hereby rescinds CO-60-17 titled *Amending "The Navajo*
17 *Preference in Employment Act" at 15 N.N.C. §§ 603, 604(B)(8) to Provide For The*
18 *Addition of Program Managers of The Executive Branch as a Class of Employees*
19 *Exempt From the Just Cause Provisions of The Act."*
- 20 B. As a result of this rescission, all program managers shall be regular status employees
21 of the Nation with all rights accruing to such employees under the Navajo Preference
22 in Employment Act and the Navajo Nation Personnel Policies Manual. The
23 Department of Personnel Management shall immediately take all steps necessary to
24 implement this legislation, including issuing new Personnel Action Forms for all
25 Program Managers reflecting that status.

26
27 **Section Four. Effective Date**

28 The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).
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