

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
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LEGISLATION NO: \_0226-22\_

SPONSOR: Vince R. James

**TITLE An Action Relating to the Law and Order, Health, Education, and Human Services, and Budget and Finance Committees; Amending the FY2023 Budget Instructions Manual to Implement Salary Schedule “BS” for Department of Criminal Investigations Civilian Employees and Salary Schedule “BZ” for Clinical Licensed Emergency Medical Services Employee Positions, and to Provide for the FY2023 General Wage Adjustments of 5%**

*Date posted:* November 18, 2022 at 9:57 AM

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## **SUMMARY OF PROPOSED LEGISLATION**

Tracking No. 0226-22

Date: November 17, 2022

**Re: AN ACT RELATING TO THE LAW AND ORDER, HEALTH, EDUCATION, AND HUMAN SERVICES, AND BUDGET AND FINANCE COMMITTEES; AMENDING THE FY2023 BUDGET INSTRUCTIONS MANUAL TO IMPLEMENT SALARY SCHEDULE “BS” FOR DEPARTMENT OF CRIMINAL INVESTIGATIONS CIVILIAN EMPLOYEES AND SALARY SCHEDULE “BZ” FOR CLINICAL LICENSED EMERGENCY MEDICAL SERVICES EMPLOYEE POSITIONS, AND TO PROVIDE FOR THE FY2023 GENERAL WAGE ADJUSTMENT OF 5%**

### **Purpose of this Legislation:**

to approve amendments to the FY2023 BIM to:

- implement Salary Schedule “BS” for DCI civilian employees
- implement Salary Schedule “BZ” for EMS employees
- and provide for the FY2023 5% GWA approved in NNC Resolution No. CS-42-22

OLC No. 22-351-1

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 11-23-22  
Eligible for Action: 11-24-22

Law & Order Committee  
Thence  
Health Education & Human Services Committee  
Thence  
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:

  
Primary Sponsor

Tracking No. 0226-22

AN ACT

RELATING TO THE LAW AND ORDER, HEALTH, EDUCATION, AND  
HUMAN SERVICES, AND BUDGET AND FINANCE COMMITTEES; AMENDING  
THE FY2023 BUDGET INSTRUCTIONS MANUAL TO IMPLEMENT SALARY  
SCHEDULE "BS" FOR DEPARTMENT OF CRIMINAL INVESTIGATIONS  
CIVILIAN EMPLOYEES AND SALARY SCHEDULE "BZ" FOR CLINICAL  
LICENSED EMERGENCY MEDICAL SERVICES EMPLOYEE POSITIONS,  
AND TO PROVIDE FOR THE FY2023 GENERAL WAGE ADJUSTMENT OF 5%

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council with oversight authority over the Division of Public Safety and its subordinate departments and programs, including the Department of Criminal Investigations and the Department of Emergency Medical Services. 2 N.N.C. §601(C)(1).
- B. The Health, Education, and Human Services Committee is a standing committee of the Navajo Nation Council with oversight authority over employment matters generally, and over the Division of Human Resources and its subordinate departments and programs, including the Department of Personnel Management. 2 N.N.C. §401(C)(6) and 2 N.N.C. §601(C)(1).

1 C. The Budget and Finance Committee is a standing committee of the Navajo Nation Council  
2 authorized to promulgate policies and regulations concerning wages and fringe benefits for  
3 Navajo Nation employees. 2 N.N.C. §301(B)(8).

4 D. The Budget and Finance Committee is also responsible for approving the Budget  
5 Instructions Manual (“BIM”) for each Fiscal Year, including amendments thereto. 12  
6 N.N.C. §830(H). At Section VII(B)(3) of the FY2023 BIM, at page 10, the approved Salary  
7 Schedules are listed, and they are included as Appendix D on pp. 63-72 of the BIM.

8  
9 **SECTION TWO. FINDINGS**

10 A. The Navajo Department of Criminal Investigations (“DCI”), under the Navajo Division of  
11 Public Safety, has for some time been requesting a salary adjustment for its civilian  
12 employees, pursuant to its P.L. 93-638 Contract with the Bureau of Indian Affairs (“BIA”).  
13 Section 104 of DCI’s Contract with BIA provides that “[s]alaries paid to civilian staff by  
14 the Contractor [DCI] shall be equal to or greater than salaries paid to civilian staff with  
15 similar responsibilities employed by the Bureau of Indian Affairs.” A copy of DCI’s  
16 Contract with BIA, titled: “Fiscal Year 2022 Annual Funding Agreement - Contract No.  
17 A21AV00140” and the Scope of Work for the Contract, which is effective from  
18 01/01/2021 to 12/31/2025, is attached hereto as **EXHIBIT A**.

19 B. The DCI Supervisor has provided an explanatory memorandum regarding the requested  
20 salary adjustments, dated October 4, 2021, which memo is attached as **EXHIBIT B**. The  
21 DCI Director has also provided a memorandum dated June 27, 2022, explaining the need  
22 for the requested salary adjustments and including a detailed table of three tiers of salaries -  
23 DCI is proposing the implementation of “Step F” and “Step C” salary levels under Salary  
24 Schedule “BS” (at BIM Appendix D) for DCI’s Law Enforcement Commissioned Officers.  
25 **EXHIBIT C**.

26 C. The Navajo Department of Emergency Medical Services (“EMS”), under the Division of  
27 Public Safety, is requesting the implementation of new salaries for the Department’s  
28 Clinical Licensed EMS employee positions. The EMS Department Manager has provided a  
29 memorandum, along with the proposed new Salary Schedule “BZ” (2 pages: 72-a, 72-b) for  
30 said positions and a “Salary Comparability Study Summary.” **EXHIBIT D**.

1 D. The BIM does not currently have a Salary Schedule specifically identified for Clinical  
2 Licensed positions for Emergency Medical Service employees. Implementation of the  
3 appropriate salary schedule is therefore needed because EMS provides a defined baseline  
4 of clinical care and services to Navajo communities, and EMS employees work under  
5 treatment guidelines approved by licensed physicians who oversee patient care and are  
6 knowledgeable about how EMS systems operate on a daily basis to save lives.

7 E. The EMS proposed new Salary Schedule "BZ" has been reviewed by appropriate offices in  
8 the 164 Executive Review process, and has been deemed "sufficient" by the reviewers.

9 **EXHIBIT E.**

10 F. On September 24, 2022 Navajo Nation President Jonathan Nez signed into law Navajo  
11 Nation Council Resolution No. CS-42-22 which enacted the Navajo Nation's  
12 Comprehensive Budget for FY 2023. Pursuant to Section 2(G)(1) of CS-42-22 in the  
13 FY2023 Comprehensive Budget the Navajo Nation Council approved a General Wage  
14 Adjustment ("GWA") for all Navajo Nation employees, effective as of October 1, 2022.  
15 The Department of Personnel Management has provided an explanatory memorandum  
16 regarding the GWA, along with revised Salary Schedules "BX" and "BY" that reflect the  
17 5% employee wage increases. **EXHIBIT F.**

18 G. The FY2023 BIM was approved by the Budget and Finance Committee several months  
19 prior to the approval of CS-42-22 that enacted the FY2023 GWA. Therefore, the BIM  
20 should be amended to include revised salary schedules that show the 5% wage increases  
21 effective as of October 1, 2022.

22  
23 **SECTION THREE. AMENDING THE FY2023 BIM TO IMPLEMENT SALARY**  
24 **SCHEDULE "BS" FOR DEPARTMENT OF CRIMINAL**  
25 **INVESTIGATIONS CIVILIAN EMPLOYEES**

26 A. The Budget and Finance Committee hereby approves the implementation of the Salary  
27 Schedule "BS" for the civilian employees (Law Enforcement Commissioned Officers) of  
28 the Department of Criminal Investigations under the Division of Public Safety, at the levels  
29 of "Step F" and "Step C" as explained in the attached **EXHIBIT C.**

30 B. The Department of Personnel Management ("DPM") shall review the Salary Schedule

1 “BS” under the attached EXHIBIT C and shall make appropriate revisions, if necessary, to  
2 ensure that this Salary Schedule “BS” includes the FY2023 GWA of 5% that was approved  
3 in Navajo Nation Council Resolution CS-42-22. If necessary, DPM shall produce a revised  
4 Salary Schedule “BS” dated October 1, 2022.

5 C. DPM shall then promptly implement the new “Step F” and “Step C” salaries as explained  
6 in EXHIBIT C, and all such salaries shall be effective as of October 1, 2022.

7  
8 **SECTION FOUR. AMENDING THE FY2023 BIM TO IMPLEMENT SALARY**  
9 **SCHEDULE “BZ” FOR CLINICAL LICENSED EMERGENCY**  
10 **MEDICAL SERVICES EMPLOYEE POSITIONS**

11 A. The Budget and Finance Committee hereby approves the implementation of the new Salary  
12 Schedule “BZ” for Clinical Licensed EMS employee positions, as shown in the attached  
13 **EXHIBIT D** (2 pages: 72-a, 72-b).

14 B. DPM shall review the Salary Schedule “BZ” under the attached EXHIBIT D and shall  
15 make appropriate revisions, if necessary, to ensure that this Salary Schedule “BZ” includes  
16 the FY2023 GWA of 5% that was approved in Navajo Nation Council Resolution CS-42-  
17 22. If necessary, DPM shall produce a revised Salary Schedule “BZ” dated October 1,  
18 2022.

19 C. DPM shall then promptly implement the new Salary Schedule “BZ” as shown in the  
20 attached EXHIBIT D, and all such salaries shall be effective as of October 1, 2022.

21 D. Section VII.B.3. of the FY2023 BIM, at page 10, is hereby amended to add the new Salary  
22 Schedule “BZ” under the attached EXHIBIT D, to the list of Salary Schedules shown on  
23 page 10 of the BIM.

24 E. The FY2023 BIM is hereby amended to insert the two pages 72-a and 72-b under the  
25 attached **EXHIBIT D** (as revised by DPM, if necessary) to the BIM immediately after page  
26 72 of the BIM, as two new pages under “Appendix D.”

27  
28 **SECTION FIVE. AMENDING THE FY2023 BIM TO PROVIDE FOR THE FY2023**  
29 **GENERAL WAGE ADJUSTMENT OF 5%**

30 In accordance with Section 2(G)(1) of Navajo Nation Council Resolution No. CS-42-22, the

1 Budget and Finance Committee hereby approves an amendment to the FY2023 BIM to insert  
2 the revised Salary Schedule “BX” and “BY” provided by DPM and included under the  
3 attached EXHIBIT F. Schedules “BX” and “BY” shall replace their corresponding outdated  
4 schedules and “BX” and “BY” shall be made a part of the amended BIM at Appendix D.  
5

6 **SECTION SIX. DIRECTIVES**

7 A. Once all Salary Schedules approved in this Act are properly prepared and verified as  
8 correct by DPM, all of them shall be listed in Section VII.B.3. of the FY2023 BIM, at page  
9 10, and the BIM is hereby amended accordingly so that it serves as a current and updated  
10 reference manual.

11 B. Once the BIM amendments approved herein are finalized, the Office of Management and  
12 Budget (“OMB”) shall prepare and issue the newly Amended FY2023 BIM and shall post  
13 the Amended FY2023 BIM on the OMB website for public view.

14 C. Once the Amended FY2023 BIM is posted on the OMB website, all Navajo Nation  
15 branches, divisions, departments, programs, offices, and the like, shall begin using the  
16 Amended FY2023 BIM in lieu of the original version of the BIM that was approved by the  
17 Budget and Finance Committee in Resolution No. BFJN-20-22 dated June 21, 2022.  
18

19 **SECTION SEVEN. EFFECTIVE DATE**

20 This Act shall become effective pursuant to 2 N.N.C. §221(C).  
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22 **SECTION EIGHT. SAVING CLAUSE**

23 If any provision of this Act is determined invalid by the Navajo Nation Supreme Court, or by  
24 a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those  
25 provisions of this legislation not determined invalid shall remain the law of the Navajo  
26 Nation.  
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