

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0087-25_

SPONSOR: Vince R. James

TITLE: An Action Relating to the Health, Education, and Human Services Committee, the Budget and Finance Committee, the Law and Order Committee, and the Naabik'iyáti' Committee, and the Navajo Nation Council; Amending the Navajo Preference in Employment Act, at 15 N.N.C. §607, to Establish a Navajo Nation Government Minimum Wage

Date posted: May 09, 2025 at 5:45PM

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Office of Legislative Services
P.O. Box 3390
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LEGISLATIVE SUMMARY SHEET
Tracking No. 0087-25

DATE: May 1, 2025

TITLE OF RESOLUTION: AN ACT RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE LAW AND ORDER COMMITTEE, AND THE NAABIK'IYATI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO PREFERENCE IN EMPLOYMENT ACT, AT 15 N.N.C. §607, TO ESTABLISH A NAVAJO NATION GOVERNMENT MINIMUM WAGE .

PURPOSE: The purpose of this proposed resolution is to establish a minimum wage for Navajo Nation Government employees, effective as of October 1, 2025, with an annual COLA adjustment.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: Simple Majority

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: AMMETH
Website Posting Time/Date: _____
Posting End Date: 5-14-25
Eligible for Action: 5-15-25

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL - Third Year, 2025

3 INTRODUCED BY:

4 
5 _____
6 Prime Sponsor

7
8 TRACKING NO. 0087-25

9
10 AN ACT

11 RELATING TO THE HEALTH, EDUCATION, AND HUMAN
12 SERVICES COMMITTEE, THE BUDGET AND FINANCE COMMITTEE,
13 THE LAW AND ORDER COMMITTEE, AND THE NAABIK'İYATI'
14 COMMITTEE, AND THE NAVAJO NATION COUNCIL; AMENDING THE
15 NAVAJO PREFERENCE IN EMPLOYMENT ACT, AT 15 N.N.C. §607, TO
16 ESTABLISH A NAVAJO NATION GOVERNMENT MINIMUM WAGE
17

18 BE IT ENACTED:

19
20 SECTION ONE. AUTHORITIES

21 A. Pursuant to 2 N.N.C. §§ 400(A) and 401(B)(6)(a), the Health, Education and Human Services
22 Committee is a standing committee of the Navajo Nation Council and has the power to
23 review and recommend resolutions relating to employment and labor.

24 B. Pursuant to 2 N.N.C. §§ 600(A) and 601(B)(14), the Law and Order Committee is a standing
25 committee of the Navajo Nation Council with authority to review and made
26 recommendations to the Navajo Nation Council on proposed amendments to and enactment
27 in the Navajo Nation Code.

28 C. Pursuant to 2 N.N.C. §§ 300(A), and 301(B)(8), the Budget and Finance Committee is a
29 Navajo Nation Council standing committee with the authority to promulgate policies and
30

1 regulations concerning wages, expenditure, reimbursement, and fringe benefits for the
2 Navajo Nation officials and employees.

3 D. Pursuant to 2 N.N.C. §§ 164(A)(9) and 700(A), the Naabik'iyati Committee is a standing
4 committee of the Navajo Nation Council, and proposed resolution that requires final action
5 by the Navajo Nation Council must be assigned to standing committee(s) having authority
6 over the subject matter at issue and the Naabik'iyati Committee.

7 E. Pursuant to 2 N.N.C. §§102 (A) and 164(A), the Navajo Nation Council is the "governing
8 body of the Navajo Nation" and must review and approve statements of policy and
9 enactments of positive law.

10
11 **SECTION TWO. FINDINGS**

12 A. The Navajo Nation is a sovereign nation with authority to regulate wages paid to its
13 governmental employees.

14 B. Wages paid to Navajo Nation government employees should be comparable to the federal
15 government and surrounding States and other governments.

16 1. Federal Minimum Wage. The federal minimum wage is set forth in the Fair Labor
17 Standards Act at \$7.25 per hour. There are also other federal laws, such as Davis-Bacon
18 Act, Pub. L. 71-798, 46 Stat. 1494 that establish prevailing wages for contractors under
19 federal contracts.

20 2. State of Arizona. Effective January 1, 2024, Arizona's minimum wage is \$14.35 per hour.
21 In 2016, through a state ballot measure (Proposition 206 – Fair Wages and Healthy
22 Families Act) the state minimum wage is to increase by annual indexing effective January
23 1st of each year. The annual increase is based on changes in the Consumer Price Index.

24 3. City of Flagstaff. Effective January 1, 2025, Flagstaff's minimum wage is \$17.85 per
25 hour for non-tipped workers and \$16.85 per hour for tipped workers. In 2016, by Flagstaff
26 ballot measure the minimum changes by an annual indexing beginning January 1, 2023.

27 4. State of New Mexico. Effective January 1, 2025, New Mexico's minimum wage is \$12.65
28 per hour. In 2019, by state legislation, the minimum wage increased in 2022 to \$11.50 and
29 in 2023 to \$12.00, effective January 1st. Albuquerque, Bernalillo County, Las Cruces
30 Santa Fe City, and Santa Fe County have separate minimum wages.

- 1 5. State of Utah. As of January 1, 2025, Utah’s minimum wage is \$7.25 per hour.
2 6. State of Colorado. Effective January 1, 2025, Colorado’s minimum wage is \$14.81 per
3 hour. The annual increase is based on changes in the Consumer Price Index. Denver has
4 a separate minimum wage.
5 C. It is in the best interest of the Navajo Nation government and the Navajo People to establish
6 a minimum wage for the Navajo Nation government and its employees.
7

8 **SECTION THREE. AMENDING THE NAVAJO PREFERENCE IN EMPLOYMENT**
9 **ACT TO ESTABLISH A NAVAJO NATION GOVERNMENT**
10 **MINIMUM WAGE**

11 The Navajo Nation Code, at 15 N.N.C. §607, is hereby amended as follows:
12

13 **Title 15. Labor**

14 **Chapter 3. Navajo Preference in Employment Act**

15 * * * *

16 **§607. Navajo prevailing wage**

17 * * * *

18 E. Navajo Nation Government Minimum Wage.

- 19 1. Minimum Wage established. The Navajo Nation Government shall pay its
20 employees no less than the Navajo Nation Minimum Wage, which shall be
21 at the rate of \$14.70 per hour for each Regular Employee paid on an hourly
22 basis, and for each Temporary Employee paid on an hourly basis.
23 2. Hourly rate. The \$14.70/hour rate shall be effective as of October 1, 2025.
24 3. Annual COLA. The minimum wage shall be increased on October 1 of each
25 Navajo Nation Fiscal Year, starting as of October 1, 2026, by an amount
26 equivalent to the increase in the cost of living. The increase in the cost of
27 living shall be measured by the percentage increase of the immediately
28 preceding year over the level as of the previous year of the consumer price
29 index (all urban consumers, U.S. city average for all items) or its successor
30 index as published by the U.S. Department of Labor or its successor agency.

1 with the amount of the minimum wage increase rounded to the nearest
2 multiple of five cents.

3 4. Tipped employees. For any employee who customarily and regularly
4 receives tips or gratuities from patrons or others, the Navajo Nation
5 government may pay a wage up to \$3.00 per hour less than the minimum
6 wage if the Navajo Nation government can establish by its records of
7 charged tips or by the employee's declaration for federal insurance
8 contributions act ("FICA") purposes that for each week, when adding tips
9 received to wages paid, the employee received not less than the minimum
10 wage for all hours worked. Compliance with this provision will be
11 determined by averaging tips received by the Navajo Nation government
12 over the course of the employer's payroll period or any other period selected
13 by the Navajo Nation that complies with regulations adopted by the Health,
14 Education and Human Services Committee.

15 * * * *

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18 **SECTION FOUR. EFFECTIVE DATE**

19 This Act shall become effective as provided in 2 N.N.C. §221(B).

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21 **SECTION FIVE. CODIFICATION**

22 The amendments to the Navajo Nation Code approved herein shall be codified by the Office
23 of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amendments
24 in the next codification of the Navajo Nation Code.

25
26 **SECTION SIX. SAVING CLAUSE.**

27 If any part of this Act is determined invalid by the Navajo Nation Supreme Court, or by a
28 District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the
29 remainder of the Act shall remain the law of the Navajo Nation.