

**AGENDA**

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
25<sup>th</sup> NAVAJO NATION COUNCIL**

**SPECIAL MEETING  
June 13, 2024**

**8:00 AM**

**PRESIDING** : Honorable Vince R. James, Chairperson  
Honorable Germaine Simonson, Vice Chairperson

**PLACE** : Law and Order Committee Conference Room (In-Person)  
Via Telecommunications:  
**Call-In Number: 1-669-900-6833 MTG ID: 979-985-0956 Passcode: 86515**  
Window Rock, NN (AZ)

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<input type="checkbox"/> Helena Nez Begay	<input type="checkbox"/> Germaine Simonson
<input type="checkbox"/> Vince R. James	<input type="checkbox"/> George Tolth
<input type="checkbox"/> Dr. Andy Nez	<input type="checkbox"/> Curtis Yanito

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- 1. CALL MEETING TO ORDER; ROLL CALL; INVOCATION; ANNOUNCEMENTS**
- 2. RECOGNIZE GUESTS AND VISITING OFFICIALS**
- 3. REVIEW AND ADOPT AGENDA**

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- 4. REVIEW AND ADOPT THE JOURNAL(S): *None***
- 5. NEW BUSINESS:**

**A. Legislation No. 0124-24:** An Action Relating to Health, Education and Human Services and Naabik'íyáti' Committees; Relating to the Navajo Nation Council; Approving the Navajo Nation's Public Law 102-477 Plan  
**Sponsor:** Delegate Germaine Simonson  
**Co-Sponsor:** Delegate Dr. Andy Nez  
*\*Eligible for Action on Thursday, June 13, 2024*

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**6. RECEIVING REPORT:**

**A. Briefing on the Executive Order No. 01-2024**

- ❖ Chief of Staff of the Office of the President and Vice-President
  - ❖ Navajo Nation Office of the Attorney General
  - ❖ Navajo Department of Justice
  - ❖ Division of Human Resources
  - ❖ Department of Personnel Management
- Executive Order No. 01-2024: Executive Order Streamlining Hiring Process  
January 9, 2024
- Process and authority of the Executive Order according to NNC Title II Chapter 5. Executive Branch Subchapter 1. Generally. Article 1. Office of the President and Vice-President. §1005. Power and duties. C. 14.: *Issue executive orders for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. Executive orders shall have the force of law upon the recipient.*
- ✓ Consultation with the Division of Human Resources provided?
  - ✓ Consultation with the Department of Personnel Management provided?
  - ✓ Consultation with the Health, Education and Human Services Committee of the 25<sup>th</sup> Navajo Nation Council provided?

**Presenters:** Patrick Sandoval, Chief of Staff, OPVP  
Bidtah Becker, Chief Legal Counsel, OPVP  
Ethel Branch, Navajo Nation Attorney General  
Paul Spruhan, Assistant Attorney General, Litigation Unit, NDOJ  
Debbie Nez Manuel, Division Director; Division of Human Resources  
*Appointed Acting DPM Director:* DHR – Department of Personnel Management

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**B. Analysis / Interpretation**

- ❖ **Chief of Staff, Office of the President and Vice-President**
  - ❖ **Navajo Nation Office of the Attorney General**
  - ❖ **Navajo Department of Justice**
- Executive Order No. 01-2024: Executive Order Streamlining Hiring Process  
January 9, 2024
- Authorizing the OPVP Chief of Staff to assume Director’s position responsibility of DPM.
- ✓ Overseeing and reviewing submitted complaints and grievances.
  - ✓ Authorizing the investigations of complaints and grievances.
  - ✓ Assigning the investigations of complaints and grievances to outside sources with the consultation of NDOJ and the OAG following the procurement for services process.
  - ✓ Overseeing and controlling the process and timelines of complaints and grievances.
- Alignment of the organizational structure and authorities when the Chief of Staff (CoS) is delegated to the subordinate position as Director of Personnel Management and the position is

supervised by the Executive Director of the Division of Human Resources. The authorities of the CoS are in direct conflict, misalignment and are inconsistent by still holding the authority as CoS to supervise the Executive Director of Human Resources.

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Paul Spruhan, Assistant Attorney General, Litigation Unit, NDOJ  
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### **C. Overview/Analogy**

#### **❖ A complaint submitted to the Navajo Department of Public Safety versus the Navajo Personnel Policies grievance process.**

- Conjecturally, if a Navajo Nation employee (elected, appointed, regular or temporary) officially submits a complaint or information to and the information is taken / recorded by the Division of Public Safety (DPS). And thereafter, the complaint submitted and taken by DPS is forwarded to Employee Relations within the Department of Personnel Management. When does the complaint filed with DPS become an employee grievance and is no longer a complaint under DPS provided the complaint has not been withdrawn?

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### **D. Organizational Structure:**

- ❖ Office of the President and Vice-President
- ❖ Chief of Staff: The Office of the Chief of Staff is responsible for directing, managing and overseeing all policy development, daily operations, and staff activities for the President. This office coordinates and communicates with all departments and agencies of the Administration. (General Definition.)
- ❖ Oversight of the Chief of Staff position.
  - ✓ Does the position have management authority?
  - ✓ Who is authorized to approve the position's PAF changes.
  - ✓ Who is authorized to assign the position additional responsibilities. Are the additional assigned responsibilities in writing?
- Navajo Nation OPVP Chief of Staff Job Description:
  - ✓ The Chief of Staff position administratively controls overall Executive Branch operations;

- ✓ Coordinates and reports on overall Executive Branch government performance;
- ✓ Regularly communicates accomplishments to the three-branch government;
- ✓ Provides full disclosure of Executive Branch performance;
- ✓ Etc.

Therefore, the OPVP Chief of Staff answers to the 25<sup>th</sup> Navajo Nation Council Standing Committees to provide full disclosure on the performances, operations, accomplishments of the Executive Branch.

**Presenters:** Patrick Sandoval, Chief of Staff, OPVP  
 Bidtah Becker, Chief Legal Counsel, OPVP  
 Ethel Branch, Navajo Nation Attorney General  
 Paul Spruhan, Assistant Attorney General, Litigation Unit, NDOJ

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7. **OLD BUSINESS:** *None*

8. **CLOSE OF MEETING; ANNOUNCEMENTS; ADJOURNMENT  
 NEXT MEETING(S) / TRAVEL:**

- ~~Monday, June 17, 2024~~                    **Cancelled**                    ~~HEHSC Regular Meeting~~
- Monday, June 17, 2024                    Travel                    2024 Semi-Annual New Mexico Government to Government Indian Education Summit. Scheduled at the Navajo Preparatory School, Farmington, NM. Reception at 6:00 pm.
- Wednesday, June 19, 2024                    Federal Holiday – Juneteenth
- Monday, June 24, 2024                    10:00 am                    HEHSC Regular Meeting  
 Training by DOJ for NNBOE

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***THIS AGENDA SUBJECT TO CHANGE:** The public is advised that the Navajo Nation Council Agenda and the Agendas of the Standing Committees are not final until adopted by a majority vote of the Navajo Nation Council or the Standing Committees at a Navajo Nation Council or a Standing Committee meeting pursuant to 2 N.N.C. §§163 and 183, Navajo Nation Council Rule of Order No. 7, and Standing Rule of Order No. 8.*