



**THE NAVAJO NATION**  
**TOHATCHI COMMUNITY CHAPTER**

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## **PUBLIC EMPLOYMENT POLICY AND PROCEDURES**

### **I. PURPOSE**

The purpose of the Public Employment Project Policy and Procedures is to provide guidance to chapters in the administering of Navajo Nation Public Employment Project funds where they lack PEP policy and procedures of their own. The Navajo Nation appropriates these funds to:

- A. Provide short-term employment for chapter residents to work on prioritized chapter projects.
- B. Reduce the unemployment rate at the Chapter and Navajo Nation level.
- C. Provide on-the-job training to selected chapter residences so they may obtain permanent employment with non-chapter employers.

### **II. DEFINITIONS**

- A. "Chapter Administration" means the employee of the chapter which includes but is not limited to, the Community Service Coordinator, Office Assistant, and the Receptionist.
- B. "Community Service Coordinator" means a chapter employee who performs the duties prescribed in NNC. 1004 (B), 1004 (C), 2003 (B) includes those employees referred to as Community Service Coordinators.
- C. "Local Governance Act" means 26 NNC 1-2005.
- D. "Participant" means chapter members participating in chapter-approved Public Employment Projects.

### **III. SELECTING, APPROVING, EXTENDING, ACCOUNTING, EMPLOYING AND POSTING REQUIREMENTS**

- A. Each Navajo Nation Chapter has discretion in selecting which Public Employment Project (PEP) to pursue subject only to applicable tribal laws. The chapter has the discretion to determine the length and start date of each project.

- B. All projects shall be duly approved by the chapter membership and set forth in the annual budget.
- C. All projects shall be completed within the annual budget cycle, or an extension shall be reflected in the ensuring year's budget and approved by the Chapter membership.
- D. The Chapter Administration shall make proper accounting and bookkeeping entries for all PEP allocations.
- E. For each project, the Chapter Administrator may employ one or more participants subject to the availability of funds.
- F. The Chapter Administration may not hire members of the same household family such as parent and child or siblings for the period involved in one approved chapter project.
- G. The Chapter Administration shall develop an exact job description for each of its participants.
- H. Due to insurance liabilities, no one other than a chosen project participant may work on a project. Participants shall follow the Code of Conduct guidelines.
- I. The Chapter Administration shall select Chapter Supervisors and skilled participants based on experience, skill and qualifications for the designated project. The chapter can utilize the Navajo Nation pay scales or chapter pay scales where they exist, to pay these supervisors and skilled employees an appropriate wage.
- J. Community Service Coordinator may replace participants when they fail to show up at work. Participants shall follow Code of Conduct guidelines.
- K. The Navajo Preference in Employment Act, as amended is binding on the selection, hiring and all other aspects of the employment process at the local chapter.
- L. Participants shall not work more than eight (8) hours per day, 40 hours per week or 80 hours per period. Additionally, participants may not make up for hours missed.
- M. The chapter may allow participants to receive on-the-job training with an employer other than the chapter so long as the chapter has entered into an agreement with the employer that describes the employer's intent to hire the participant on a permanent basis, the employer's contribution to the participant's age and the term of the training period.

N. For each project, the Chapter Administration shall post notice that the chapter is accepting applications. That notice shall be made available two (2) weeks in advance and may be carried out as follows:

1. By posting on the chapter bulletin board(s).
2. By announcement in the media.
3. By announcement at planning and chapter meeting.
4. By posting in public and/or business sites within the area.
5. By other means the chapter deems appropriate.

#### **IV. PARTICIPANT QUALIFICATIONS AND EMPLOYMENT NOTICES**

A. Adult participants shall be registered voters of the Tohatchi Chapter and will be given priority preference. In cases of no applicants, unqualified applicants, or if applicant has been a PEP participant previously, then other applicants from District 14 can apply.

Documents Required:

1. Application
2. Valid Driver's License  
In the event where short-term labor is needed driver's license can be waived.
3. Social Security Card
4. Letter of Interest
5. NN Voter's Registration Card

B. Community Youth (non-registered voters) participants between the ages of fourteen (14) and seventeen (17) are eligible but the following conditions shall be met:

1. The applicable child labor laws of Arizona, New Mexico or Utah is complied with.
2. Parental consent is obtained using a standard consent form, prior to the date of employment. (See sample form attached hereto as Attachment A)
3. There is no work-related travel.
4. The youth are under close supervision at all times and do not work in hazardous occupations.
5. The Navajo Occupational Safety and Health Administration (NOSHA) have assured that the working conditions and environmental are safe.

## **V. PROJECT APPLICATION AND PROCEDURES**

- A. The Chapter Administration shall oversee each project:
- B. Will evaluate and preform an assessment of each project, check for the availability of funds (budget) and will prepare all the necessary documents and materials.
- C. Will be responsible for the assessment, scope of work, timesheets, and properly closing out of each project (project cost) with documentation including pictures.
- D. Shall maintain folders of each project and available for review.
- E. For each project, the Chapter Administration shall properly complete date and sign the project application, personnel roster and employment and termination notices. (See sample forms attached here to as Attachment B.) The chapter administration shall also include a copy of the chapter budget resolution and copy of each participant's social security card. The chapter administration shall keep all of the above-mentioned documents on file. All documents shall be completed and finalized prior to commencing the project.

## **VI. PAYROLL, TIMESHEETS, AND DEDUCTIONS**

- A. At the end of each pay period, the PEP employee shall submit to the Chapter Administration timesheets (See sample form attached hereto as Attachment C), weekly progress reports and daily sign-in sheets.
- B. Upon receipt of the timesheets the Chapter Administration shall check and verify hours worked.
- C. For each participant, the Chapter Administration shall prepare the payroll; make the proper deductions which includes FICA, Medicaid, Federal Income Tax, Navajo Nation Worker's Compensation and Unemployment Insurance.
- D. After payroll checks are completed, the Community Service Coordinator and Secretary/Treasurer shall sign the checks and if the Secretary/Treasurer is not available, the Community Service Coordinator and Chapter President shall sign the checks. If the chapter President is not available, then the Community Service Coordinator and Chapter Vice-President shall sign the checks.
- E. Payroll checks shall be distributed according to the payroll schedules as set by the Chapter Administration.

- F. Payroll checks may be dispensed to the participant payee only, unless the participant-payee has signed a written authorization designating another person to pick up the check(s).
- G. At the end of each month or as instructed by the federal and state agencies, the Chapter Administration shall pay the federal and state unemployment taxes.
- H. By the end of each calendar year, the Chapter Administration shall issue W-2's to the participants who worked during the year and shall submit W-3's to the Social Security Administration.

## **VII. EXPENDITURE REPORTING**

- A. Upon request, the Chapter Administration will make available for review, the payroll information and the expenditure reports for each project.

## **VIII. OVERSIGHT**

- A. The Community Service Coordinator shall have the day-to-day oversight responsibility for the administration of all Public Employment Project activities carried out by the chapter.
- B. Administrative Services Center shall have the Expenditures oversight and ensure that allocations are expended in accordance with Navajo Nation Law.

## **IX. CODE OF CONDUCT**

- A. PEP employees shall be given a copy of the Code of Conduct and will be reviewed with each participant.
- B. PEP employees shall be required to sign the Code of Conduct form and will be filed in their personnel folder.

## **X. AMENDMENTS**

This policy and procedures may be amended by Tohatchi Chapter membership and will be approved by resolution.

Approved by Resolution Number 023-01-2022 on January 19, 2022