

TO'HAJIILEE NAVAJO CHAPTER/CANONCITO BAND OF NAVAJOS
PUBLIC EMPLOYMENT (PEP) POLICIES AND PROCEDURES

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TO'HAIJILEE NAVAJO CHAPTER/CANONCITO BAND OF NAVAJOS
PUBLIC EMPLOYMENT PROGRAM POLICIES AND PROCEDURES

- I. Authorization
- a. Pursuant to 26 N.N.C. Section 101 (A), the To'Hajiilee Navajo Chapter/Canoncito Band of Navajos (TNC/CBN) has formulated, implemented, and operates by the Five Management System to ensure accountability and has developed policies and procedures for the Chapter Public Employment Program (PEP).
 - b. Pursuant to the To'Hajiilee Navajo Chapter/Canoncito Band of Navajos Resolution # _____, the Chapter Public Employment Program for To'Hajiilee Navajo Chapter/Canoncito Band of Navajos (TNC/CBN) is here by approved.
- II. Purpose
- a. The purpose of this policy and procedure are to provide guidelines for the Chapter to administer the Public Employment Program for Chapter Expenditures.
 - b. Provide short term employment for chapter residents to work on prioritized chapter projects.
 - c. Reduce the unemployment rate at the chapter and Navajo Nation level, and
 - d. Provide on-the-job training to select chapter residents so they may obtain permanent employment with non-chapter employers.
- III. Applicable laws
- a. The TNC/CBN Chapter shall comply with all applicable State, Federal, and Navajo Nation laws such as the Navajo Preference in Employment Act.
- IV. Definitions
- a. "Chapter Administration" means the employee of the chapter which includes but is not limited to Community Service Coordinator and Accounts Maintenance Specialist.
 - b. "Community Service Coordinator" means a chapter employee who performs the duties prescribed in 26 N.N.C. §§ 1004 (B), 1004 (C), and 2003 (B) and indicates those employees referred to as Community Service Coordinators.
 - c. "Local Governance Act" means 26 N.N.C. §§ 1-2005.
 - d. "Participants" means chapter member participating in chapter-approved public employment projects.
- V. Policy
- a. The To'Hajiilee Navajo Chapter/Canoncito Band of Navajos (TNC/CBN) has discretion in selecting which public employment project (PEP) to pursue, subject to applicable Federal, State, and Navajo Nation laws. The chapter has the discretion to determine the length of each project and when to begin.

- b. All projects will be duly approved by the chapter membership and set out in the annual budget.
- c. All projects shall be complete within the annual budget cycle, or an extension shall be reflected in the ensuing year's budget and approved by the membership.
- d. The chapter administration shall make proper accounting and bookkeeping entries for all PEP allocations and expenditures.
- e. For each project, the chapter administration may employ one or more participants subject to the availability of funds.
- f. The chapter administration may not hire members of the same household families such as parent and child or sibling for the period involved in on approved chapter project.
- g. The chapter administration shall develop appropriate job description(s) for each of position(s) per approved Chapter PEP projects.
- h. Proper workmen's compensation liability insurance shall be on file.
- i. The chapter administration shall select a project supervisor and participant(s) based on approved budget.
- j. The chapter administration shall set the salary and wages of the participants per project.
- k. The chapter community service coordinator shall hire and terminate participants in compliance with PEP Policies and Procedures.
- l. The Chapter gives preference in employment to enrolled members of the Navajo Tribe in accordance with the provisions of the Navajo Preference in Employment Act (15 N.N.C SS601-19).
- m. Participants shall not work more than eight (8) hours per day, forty (40) hours per week or eighty (80) hours per pay period. Additionally, participants may not make up hours missed.
- n. The Chapter may allow participants to receive on the job training with an employer other than the chapter per approval by the Chapter.
- o. The Chapter Administration shall post job vacancies for two weeks at the following locations.
 - 1. Post announcement on the chapter bulletin board(s), community store, and other public buildings.
 - 2. Announce on the media such as Facebook
 - 3. Announce at Chapter Planning and Regular meeting.

VI. Participant qualifications and employment notices

- a. Adult participants shall be registered voters of the To'Hajiilee Navajo Chapter and not employed by other chapter or other entities.
- b. All participants shall be a member of the Navajo Nation with a census number.
- c. Supervisor shall not supervise an immediate family member.
- d. The Chapter shall assure all approved work sites are in compliance with Navajo Nation Safety/Loss Program or Navajo Occupational Safety and Health Administration (NOSHA).
- e. Applicant must have the ability, knowledge, experience and are capable to perform the position advertised as specified on the job description.

VII. Project Application and Procedures

- a. For each project, the chapter administration shall properly develop project application (See Sample forms attached hereto as Attached B). The chapter administration shall also include a copy of the chapter budget resolution. The administration shall keep all of the above-mentioned documents on file in accordance with the chapters FMS record management policies and procedures. All documents shall be completed and finalized prior to commencing the project.
- b. The project application shall include:
 1. The name of the project
 2. The name of the project supervisor
 3. The project location
 4. The projects start and end dates
 5. The total number of project days
 6. The total estimated cost of the project
 7. The total amount of PEP funds to be utilized
 8. The total number of personnel to be employed
 9. The contact person (usually the Account Maintenance Specialist or Community Service Coordinator).
 10. The chapter telephone number
 11. The description of the project which should include a description of the benefits to be derived from the project, the tasks to be performed under the project, the resources required for the project, how the project will be monitored and a description of any alternate projects the crew will work on should they finish before the designated date of completion.
 - a. Authorized signatures: Chapter President and Chapter Community Service Coordinator.
- c. The Project Folder will include:
 1. Personnel Roster
 2. Project Application
 3. Copy of timesheet for each participant
 4. Bi-weekly report form for each participant
 5. Any rejected individual's application packet

VIII. Application Requirements

- a. Accurately completed Chapter Employment Application
- b. Voters Registration Card and Verify in the Office Voter Registry
- c. Social Security Card
- d. Valid Driver's License or Identification Card
- e. Certificate of Indian Blood
- f. W-4 Form
- g. New Mexico Hire Form
- h. Personnel Action Form
- i. Signed Policies and Procedures, Alcohol, and Drug Free, Job Description and Prohibition of Sexual Harassment Understanding Acknowledgement form.

- IX. Wages
- a. The PEP funds are restricted budgeted funds; therefore, the hourly wages shall start at a minimum wage.
- X. Tour of Duty
- a. Monday through Friday, except Navajo Nation Recognized Holiday's.
 - b. 8:00am to 5:00pm with one-hour lunch from 12:00pm to 1:00pm.
 - c. No over-time, compensatory, and no make-up time allowed.
- XI. Payroll, Timesheets, and Deductions
- a. The payroll period will be the same as the Navajo Nation Payroll Periods. Payroll will be drawn every two weeks
 - b. Time sheets are due Friday per pay period ending schedule with all proper authorized signatures. If a time sheet due date falls on a Holiday, then time sheets are due prior to Holiday unless otherwise instructed from the Chapter Administration.
 - c. Upon receipt the chapter administration shall check and verify the hours worked for each participant.
 - d. After payroll checks are completed, the Community Service Coordinator and secretary/treasurer shall sign the payroll checks. If the Secretary/Treasurer is not available, the Community Service Coordinator and Chapter President shall sign the payroll checks. If the Chapter President is not available, the Vice President will sign the payroll checks.
 - e. Payroll checks are distributed at the end of workday on Friday on pay period.
 - f. If the participants are not available for check pick up, he or she may authorize a person to pick up his or her check with a written permission and an original signature.
- XII. Taxes
- a. For each participant, FICA, Medicaid, Federal Income Tax are automatically deducted at each pay roll. Federal Tax will be deducted based on the W-4 form.
 - b. At the end of each month, the Community Service Coordinator shall submit payment to the Internal Revenue Services for the taxes deducted and unemployment taxes, if applicable.
 - c. At the end of each quarter, the Chapter shall pay the Workers Compensation tax and the SUTA for each participant based upon the MIP report.
 - d. By the end of each calendar year, the Chapter Administration shall issue W-2 Form to all participants who worked during the year and shall submit W-3s to the Social Security Administration.
- XIII. Expenditure Reporting
- a. The Chapter Administration shall prepare a written expenditure reports in accordance with the To'Hajiilee Chapter FMS (Five Management System) policies and procedures.

- b. At the completion of each project, the chapter administration shall prepare a final project evaluation report describing the completed project and have the report signed by the Chapter President.

XIV. Benefits

- a. Since all participants are employed under the PEP as temporary employees, the participants are ineligible for any of health, dental, pharmacy, or vision benefits.
- b. All participants are covered through Navajo Nation workers Compensation Program.
- c. The participants are also ineligible for holiday, sick or annual leave of absence, or compensatory time pay and ineligible for merit pay or bonus pay.

XV. Grievance

- a. All participants who are employed under the PEP are temporary employees; the participants are ineligible for any type of grievance process.

XVI. Disciplinary actions and termination of public employment program participants

- a. Supervisor and Community Service Coordinator shall have proper cause of terminating participants with documentations and close out participant's file in accordance with FMS Personnel Policies and Procedures. Examples are:
- b. Being late for work repeatedly or excessively will lead to dismissal.
- c. Under the influence of Alcohol, drugs, or tobacco will lead to immediate removal.
- d. Leaving the work site during designed work hours without permission of a supervisor is insubordination and subject to termination.
- e. Unacceptable work site conduct such as not following worksite safety requirements such as deadly weapons will be subject to immediate termination.
- f. Inadequate job performance which leads to unsafe working environment and cause for dismissal.

XVII. Sexual harassment

- a. The workplace shall be free of sexual harassment; therefore, such action is prohibited and will result in immediate termination.

XVIII. Hostile Environment

- a. The workplace shall be free of hostile harassment; therefore, such action is prohibited and will result in immediate termination.

XIX. Illegal drug and Alcohol-Free Workplace

- a. The workplace and environment shall be free of Illegal alcohol & Drugs; therefore, such usage will result in immediate termination.

XX. Code of Conduct

- a. The participants will conduct themselves with respect towards co-workers, Chapter Administration, Chapter Officials, Community Members, project clients, and any other persons.
- b. The participant will conduct themselves with trustworthiness and produce quality work.

XXI. Dress Code

- a. All participants shall report to work with proper attires for the job and with proper personal hygiene.
- b. Participants with long hair shall braid or tie back hair for safety reasons.

XXII. Tools

- a. Since the Chapter does not provide tools or transportation,
 - i. The participants must have a reliable transportation with auto insurance; and
 - ii. The participant must have own tools such as hammer, saw, level, tool belt, etc.

XXIII. Safety Environment

- a. The Chapter shall provide a safe and friendly workplace or environment for all workers in accordance with the Navajo Nation Safety/Loss Program or Navajo Occupational Safety and Health Administration (NOSHA).
- b. Workers practicing unsafe working habits will be counseled at the first offense and then terminated after a second offense.
- c. For safety reasons participants must refrain from using earphone plugs, cellular phone, and other electronic devices. Violation will result in the Community Services Coordinator following the Table of Penalties under the Personnel Management Policies and Procedures Manual.

XXIV. Oversight

- a. The Chapter Community Service Coordinator shall have the day-to-day oversight responsibility for the administration of all Public Employment Project activities.

XXV. Amendments

- a. Any amendments to the PEP Policies and Procedures may be recommended by the Chapter Administration to the Chapter Officials. Amendments shall be approved by the community membership.

XXVI. Attachments

Employment Application

W-4 Form

I-9 Form

Drug & Alcohol Policy and signature form

Personnel Roster

Project Application Form

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