

LOW MOUNTAIN CHAPTER PUBLIC EMPLOYMENT PROGRAM



POLICIES AND PROCEDURES

LOW MOUNTAIN CHAPTER

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ATTACHMENT I

**LOW MOUNTAIN CHAPTER
PUBLIC EMPLOYMENT PROGRAM
POLICIES AND PROCEDURES**

I. ESTABLISHMENT:

The Low Mountain Chapter Public Employment Program (PEP) is hereby established as a short-term employment program (as amended) under the Low Mountain Chapter Government.

II. PURPOSE:

The purpose of the PEP Policy and Procedures is to provide guidance to the Low Mountain Chapter in administering the Chapter PEP funds to provide short-term employment opportunities for registered and/or non-registered Chapter residents in the community to work on prioritized Chapter Emergency Projects.

A. The Policy of the Low Mountain Chapter is to comply with applicable laws that governs the employment relations between the Chapter and the PEP employees and consistent with the Nation's laws, regulations and policies, the Chapter shall not discriminate against an applicant or employee(s).

B. Reduce the unemployment rate within the Chapter community and Navajo Nation level.

C. Provide on-the-job training to selected Chapter PEP participants, to bring them to a desired standard of efficiency or condition or behavior etc. so they may seek and obtain other outside employment with non-Chapter employers.

D. During the Coronavirus emergency health crisis, the policy of the Chapter shall be to educate the PEP participants about how the virus spreads and raise their awareness about the crucial roles of self-distancing, handwashing, sanitizing and also facemask use to help in controlling the outbreak of COVID-19. We need to have that degree of compliance with these simple measures for self-protections of PEP participants, Chapter staff, Officials and others.

III DEFINITIONS:

A. "Chapter Official" means the following public officials elected by the Chapter membership; Chapter President, Chapter Vice President and Chapter Secretary/Treasurer.

B. "Community Services Coordinator" means the individual who is responsible for administering the Five Management System (FMS) and the administrative functions of the Chapter operation. Administrative head staff performing the duties prescribed in Local Governance Act (LGA) Title 26 N.N.C. Subsections 1004 (B) (C) and 2003 (B).

C. "Chapter Administration" means the employees of the Chapter which includes, but is not limited to Community Services Coordinator (CSC) and Account Maintenance Specialist (AMS).

D. "Chapter Employee" means any person or entity working for or rendering or exchanging any services or performing any act for or on behalf of the Chapter, in return for any form of payment or other compensation. This can be temporarily, permanently or indefinitely, in any capacity.

E. "Participants" means Chapter Residents participating in Chapter-approved Public Employment Program projects whether hired or voluntarily.

F. "Chapter Resident" means one who dwells permanently or continuously within the boundaries of the Chapter.

IV. STAFFING AND ORGANIZATION:

A. CHAPTER OFFICERS: In accordance with the Local Governance Act as approved by the N.N.C. by Resolution CAP-34-98, the Chapter Officials having Legislative oversight hereby through adoption of this policy, delegates to the Community Services Coordinator oversight authority over the operation of the PEP.

B. COMMUNITY SERVICES COORDINATOR (CSC); The CSC under the direct supervision of the selected Chapter Official shall have the primary daily oversight of the PEP and further, shall have the ultimate authority over all the Chapter PEP projects.

C. PROJECT SUPERVISOR; The Project Supervisor under the direct supervision of the CSC shall oversee all the PEP and/or other Chapter-approved project participants to assure continuity of ongoing project(s) and that they are completed in a timely manner and/or within the annual Budget Cycle or an extension shall be reflected in the ensuing year's budget and approved by the Chapter. In the event the Chapter CSC is unavailable, in her absence, the Project Supervisor shall report directly to the Chapter Accounts Maintenance Specialist (AMS).

V. ELIGIBILITY CRITERIA:

A. During the difficult time period of the Regional Navajo Nation Coronavirus epidemic, it is especially important the Chapter first and foremost recognize the need of maintaining or establishing a norm of Chapter operations with a common message of self-care, protection and personal accountability during the global COVID-19 virus pandemic.

B. In times of this uncertainty, the Chapter for purposes of services and benefits to the community continues to carry out Chapter-approved PEP and other emergency project activities for the general health, safety and welfare of the Chapter membership and thus, the Chapter Official shall have the ultimate authority to select hire active Chapter registered voters and employable non-registered Chapter residents.

C. During the Coronavirus emergency health crisis if a Chapter PEP and/or an emergency project employee(s) gets tested for COVID-19 the employee shall notify the employer with the test result and based on the results, the employer shall abide by the Navajo Department of Health and the Health Command Operations Center instruction policy.

D. PEP and/or other emergency projects, applicants shall not be employed with other entities at the time of submitting an employment application.

E. Elected Chapter Officials or an Administrative staffs shall recuse oneself from hiring process participation determining employment eligibility for an applicant due to personal relationship because of a potential conflict of interest or lack of impartiality.

F. The Chapter Officials shall select a Chapter Project Supervisor based on experience, skill and qualifications for the designated Chapter Project. The CSC can utilize the Navajo Nation pay scales

or recommend the Chapter pay scale based on funds availability to pay the Project Supervisor and likewise with other skilled employees their appropriate wages.

VI. REQUIREMENTS FOR EACH CHAPTER PROJECTS:

A. It shall be the policy of the Chapter CSC to have discretion in selecting prioritized Chapter PEP project(s) and/or an emergency related project(s) and to determine the length of each project and when to begin such as coinciding with pay period start date to assure proper processing of payroll checks and other pertinent paperwork.

B. All projects shall be approved by the Chapter membership and/or approved by current emergency reduced quorum of three (3) Chapter members and set out in the annual or supplemental Chapter budget.

C. Projects shall be completed within the annual budget cycle or an extension shall be reflected in the ensuing year's budget and approved by the Chapter membership.

D. The Navajo Nation Workers' compensation Program shall provide adequate insurance coverage for each participant prior to start of employment.

E. The Navajo Preference in Employment Act, as amended (codified as Title 15 Chapter 7) is binding on the selection, hiring and all other aspects of the employment process at the Chapter.

F. In order for the Chapter to deviate from its set policies by employing more than five (5) participants per approved Chapter project and to exceed ten (10) working days and/or an extension of the project, the Chapter Officials shall request for ratification at the next Chapter meeting based on funds availability.

G. In no instance shall any special projects such as Office Assistant, Community Liaison, CLUPC Liaison, Chapter Security, Bathroom Addition, Home Construction and other projects shall not exceed one (1) fiscal year (FY) based on funds availability, unless an extension is approved at a Regular Chapter Meeting at the beginning of the new fiscal year.

H. During the Coronavirus emergency health crisis, the interim policy of the Chapter will be to continue to conduct a one on one contact with the employable registered and non-Registered Chapter residents willing to work on a PEP and/or an emergency Chapter project(s). Due to lockdown of business entities, including the Chapter House, no job notice postings will be accommodated.

I. All Accounting and Bookkeeping procedures as timesheets, payroll, appropriate deductions, including FICA, Medicaid, Federal Income Tax, Workers' Compensation Program, and Unemployment Insurance, etc. shall be consistent and in accordance with the LGA as approved by the N.N.C. Resolution CAP-34-98 and the Chapter Five (5) Management System (FMS) for each project.

J. For community special projects, the Project Supervisors with valid Insurance Coverage will be allowed to transport goods to the project sites.

K. For certain related construction-projects participants shall provide their own tools.

VII. RECRUITMENT, SELECTIONS, HIRING AND TERMINATION PROCEDURES OF THE PUBLIC EMPLOYMENT PROGRAM:

A. All Chapter Employment Applications received will be reviewed and screened systematically for employment eligibility by the Chapter Administrative Staff and forward the names of the potential employment applicants to the Chapter Officials for selections.

B. When a PEP participant is a no show on the first day of work at 8:00 a.m. an employable individual or a selected alternate shall be summoned immediately as a replacement.

C. All payroll checks will be prepared and distributed in accordance with the Chapter's Fiscal Management Policies and Procedures.

D. All payroll checks will be picked up by the PEP participant (payee) only, unless a written authorization by the payee designating another individual to pick up the check is submitted to and acknowledged by the Chapter administration.

VIII. SEXUAL AND OTHER UNLAWFUL HARASSMENT:

A. A participant who wants to report an incident of sexual or other unlawful harassment shall immediately report the matter to the Community Services Coordinator, who shall report the incident to the appropriate authorities.

B. The Community Services Coordinator shall address the matter in a timely, appropriate, and confidential manner pursuant to the Chapter's Five Management System section XVI (F) Conduct of Employee Sexual Harassment.

IX. ILLEGAL DRUG, ALCOHOL OR OTHER ILLEGAL SUBSTANCE USE:

A. It is the policy of the Chapter to provide a drug-free, healthy and safe workplace environment. To promote this goal, employees are required to report to work in an appropriate mental and physical condition to perform their jobs in a satisfactory manner.

B. Employees shall not use, possess, distribute, sell or be under the influence of alcohol, drugs and/or other illegal substance use shall not be tolerated while conducting Chapter related business on Chapter premises and/or project sites.

C. The legal use of prescribed drugs by a licensed physician is permitted on the job only if it does not impair an employee's ability to perform the essential function of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

D. Violation of this policy shall lead to disciplinary action including an IMMEDIATE TERMINATION OF EMPLOYMENT!

X. ABSENTISM:

A. If an employee fails to show up for work two consecutive days, shall result to disciplinary action of IMMEDIATE TERMINATION OF EMPLOYMENT!

XI. EXPENDITURE REPORTING:

A. At the end of each month, quarterly, and calendar year-ending, all required reporting documents shall be submitted to the appropriate departments.

B. The Accounts Maintenance Specialist shall make a written expenditure report to the Chapter Officials, and the Secretary/Treasurer shall then make an oral report at a duly called chapter meeting on a monthly basis.

XII. AMENDMENT:

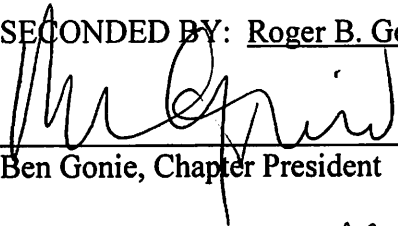
The Low Mountain Chapter shall strictly abide and comply with set Policies and Procedures unless otherwise changes or amendments have been made to the Chapter Public Employment Program Policy. The process to amend the Policy and Procedure shall be recommended in writing by any registered community members at a duly called Chapter Planning Meeting.

C-E-R-T-I-F-I-C-A-T-I-O-N

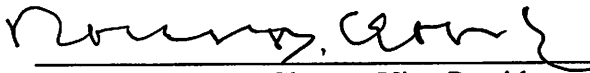
We, hereby certify that the forgoing Chapter PEP Policy and Procedure was duly considered at a duly called Low Mountain Chapter Meeting in Low Mountain, Arizona, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 04 in favor, 00 opposed, and 01 abstained this 16th day of October, 2020.

MOTIONED BY: Rose Ann Charley

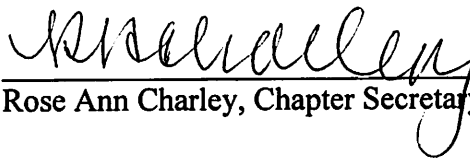
SECONDED BY: Roger B. George



Ben Gonie, Chapter President



Roger B. George, Chapter Vice-President



Rose Ann Charley, Chapter Secretary/Treasurer