



# THE NAVAJO NATION

## EXECUTIVE ORDER NO. 01-2024

### EXECUTIVE ORDER STREAMLINING HIRING PROCESSES

#### WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with the full authority to conduct, supervise, and coordinate personnel and program matters. 2 N.N.C. 1005(A);
2. The President shall have the power to issue an Executive Order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2.N.N.C. §1005 (C)(14);
3. Much of the Navajo Nation's personnel system is governed by the Navajo Nation Council and the Health, Education, and Human Services Committee through the Navajo Preference and Employment Act ("Employment Act") and the Personnel Policies Manual ("Personnel Policies").
4. However, the Division of Human Resources (DHR) through the Department of Personnel Management (DPM) and the Office of Background Investigations (OBI), creates and implements internal rules and processes concerning employment applications, Personnel Action Forms, Qualification Assessments, Position Classification, Employee Performance Appraisals and other documents. Further, the Office of the Controller (OOC) handles payroll and other functions that affect the hiring and retention process. Finally, hiring managers within the Divisions, Departments, and Offices of the Executive Branch review applications, conduct interviews, and make hiring and other personnel decisions, as well as create Personnel Action Forms and other documents that are submitted to DPM.

5. As the Departments of Human Resources, Personnel Management, and the Offices of Background Investigation and the Controller, are within the Executive Branch under the ultimate supervision of the President under 2 N.N.C. 1005(A), I am empowered to mandate that they create or alter internal rules and processes not in conflict with the Employment Act or the Personnel Policies.
6. As Divisions, Departments, and Offices of the Executive Branch are also under the ultimate supervision of the President under 2 N.N.C. 1005(A), I am also empowered to mandate internal rules and processes on personnel matters not in conflict with the Employment Act or the Personnel Policies.
7. The Nation faces an unprecedented number of vacant positions that affect the ability to provide essential services to the Navajo People.
8. The Nation's hiring processes are primarily reliant on employees creating and submitting paper documents, and such reliance delays the hiring of qualified applicants.
9. The current employment application process is unnecessarily complex and difficult for applicants and hiring managers to navigate, creating disincentives for qualified applicants to seek employment with the Nation.
10. The current employment application process requires a significant amount of documentation to be submitted at the applicant's expense, including official transcripts and diplomas for educational institutions an applicant attended. Acquiring such documents can be difficult and expensive, and requires the applicant to navigate the long and cumbersome processes of outside institutions, and some of those institutions might no longer exist. This creates a significant disincentive for qualified applicants to seek employment with the Nation.
11. The Personnel Policies require applicants and employees in sensitive positions to undergo a background check through the Office of Background Investigations.
12. While DPM and OBI are the programs currently responsible for approving personnel documents, hiring managers within the Divisions, Departments, and

Offices also have significant responsibilities to move applicants and employees through the hiring and severance process, and delays in that process also affect the Nation's ability to attract and retain qualified employees.

13. Even if an applicant successfully navigates the hiring process, the Nation has a strong interest in retaining qualified employees.
14. The Nation must adapt to new technologies and innovative approaches to personnel to compete with outside employers for top talent.
15. There are a number of ways the Nation's personnel system can be improved through my direction to DHR, DPM, OBI, OOC, and the Divisions, Departments, and Offices of the Executive Branch.
16. To the extent the mandates to the Divisions, Departments, and Offices included in this Executive Order can improve hiring in the Legislative and Judicial Branches, I encourage the Speaker of the Navajo Nation Council and the Chief Justice of the Navajo Nation to adopt them.

**THEREFORE, I, DR. BUU NYGREN**, President of the Navajo Nation, by the authority vested in me, hereby ORDER the following:

1. The Division of Human Resources (DHR), the Department of Personnel Management (DPM), the Office of Background Investigations (OBI), the Office of the Controller (OOC), and the Divisions, Departments, and Offices of the Executive Branch shall implement the following, organized in this Executive Order by type of hiring action or document:

a. APPLICATIONS

- i. Pursuant to Section IV(D) of the Personnel Policies Manual ("Personnel Policies"), DPM shall reduce the number of documents "deemed necessary" for an applicant to submit at their own expense with an employment application. At a minimum, DPM shall not require transcripts or diplomas from educational institutions as a pre-requisite to accepting the application. If a hiring program wishes to confirm an applicant's attendance and graduation at an educational institution, or is interested in seeing the applicant's

grades at that institution, the program can require that the applicant submit the information directly as part of the interview process.

2. DPM shall develop a process for applicants to submit one application packet, which then may be applied to multiple positions the applicant is interested in applying for, instead of requiring a full application packet for each position number.
3. DPM shall develop an automated process for online submission and processing of applications. The online process shall include a fillable application form that allows for as much information as necessary on the applicant's background to be included. The process shall also allow the applicant to upload supporting documentation as an attachment or photo. Once implemented, DPM shall work with Chapters and other government offices to provide physical application kiosks or other online access at DPM, Chapter Houses, or regional Executive Branch offices for applicants to submit their applications.
4. DPM shall provide technical assistance to applicants in filling out and submitting an application, including a dedicated employee or employees to answer applicant inquiries.
5. If an applicant submits an application directly to the hiring program, such as at a job fair, DPM shall allow the hiring program to submit the application to DPM on behalf of the applicant, and DPM shall process the application as if the applicant submitted it directly. Pursuant to Section IV(D)(2) of the PPM, the hiring program is required to submit the application by close of business on or before the closing date of the position for the applicant to be considered, and DPM can decline to accept the application if submitted late.
6. ADVERTISEMENTS
  - i. DPM shall allow hiring programs to elect to advertise positions with specific closing dates or as Open Until Filled (OUF). If a hiring program elects to use OUF, DPM shall forward an application to the hiring program upon receiving it from the applicant, and not wait to collect multiple applications by a certain date before sending it the hiring program.

- ii. When an employee submits a written resignation, the hiring program shall immediately generate a resignation PAF and submit it to DPM with the effective date of the resignation. If a hiring program elects to do so, DPM shall allow the hiring program to advertise the position, collect applications, and conduct interviews before the effective date of the resignation or the date the resignation PAF is finalized.

b. QUALIFICATION ASSESSMENTS (QAs)

- i. Within two weeks of this Executive Order, DPM shall schedule trainings for hiring programs to do their own Qualification Assessments (QAs). Upon the successful completion of the training, DPM shall immediately approve that hiring program's authority to do their own QAs, and begin to forward applications to the hiring program to do those assessments. Once a hiring program completes a QA for an applicant, it shall immediately send it to DPM.
- ii. DPM shall maintain a list of hiring programs and employees within those programs that are authorized to do their own QAs. For those hiring programs, DPM shall not conduct its own second assessment or reject the assessment the program has submitted.
- iii. DPM shall develop an automated process to allow hiring programs to fill out and submit QAs online to DPM.

c. INTERVIEWS

- i. Divisions, Departments, and Offices shall create interview panels in advance of advertising a position that will schedule and conduct interviews as soon as possible after receiving the applications and conducting QAs. The interview panel shall create uniform interview question and scoring sheets in advance of the interviews. The interview panel shall contact the applicant by phone *and* email to confirm their interview date, or if no phone or email is provided, by U.S. certified mail, to schedule the interview. If no response is received by the interview date, or if the applicant declines the interview, the panel shall inform the hiring manager, who shall

immediately issue a non-selection letter and inform DPM the applicant has been eliminated from the applicant pool. The panel shall, as soon as possible, conduct the interviews, fill out the scoring sheets and submit a recommendation to the hiring manager. The hiring manager shall make a hiring decision as soon as possible, based on the interview panel's scoring sheets and recommendations. If deemed necessary, the hiring manager can elect to conduct an interview as soon as possible with the applicant before making a hiring decision. If the hiring manager elects to offer the position to the applicant, they shall inform DPM and issue an offer letter as soon as possible. If the hiring manager decides to re-advertise the position without hiring any applicant, they shall inform DPM in writing as soon as possible.

- ii. A hiring manager that does not move forward with the above process as soon as possible can be disciplined by their supervisor for Offense No. 25 of the Personnel Policies Manual Table of Offense, Neglect of Duty. The supervisor may also then move forward to complete the hiring process.

d. OFFICE OF BACKGROUND INVESTIGATIONS (OBI) BACKGROUND CHECK PROCESS

- i. Under its authority in Section IV(K)(8) of the PPM, OBI shall set clear time limits on how far back an applicant's or employee's background may be adjudicated for offenses. If external grants require that OBI review the entire background with no time limit, OBI shall do so, but only for those positions.

e. PERSONNEL ACTION FORMS (PAF) PROCESS

- i. DPM shall develop an automated process that allows for the online creation, submission, and approval of Personnel Action Forms (PAFs), without the need to submit physical PAFs.
- ii. Until DPM implements that process, it shall not send a PAF back to the hiring program for minor errors, such as transposed numbers for accounts or the spelling of an employee's name, or white-out or other

markings on the form. Instead, DPM shall contact the hiring program to clarify any errors, confirm the correct information, and process the PAF.

- iii. DPM shall create a Pilot Project to have hiring programs submit an employee's information to DPM and for DPM to generate the PAF directly.
- iv. Upon severance of employment, DPM shall create an automated process by which programs communicate on the PAF or some other method that the employee does not have an unpaid debt to the Nation or outstanding Navajo Nation property.
- v. DPM and OOC shall develop a streamlined process by which any outstanding debt or property be deducted from an employee's last paycheck and the severance PAF be processed as soon as possible. Pursuant to Section XV(J)(2) of the Personnel Policies, such deductions shall not require the affirmative consent of the employee before they are processed.

f. EMPLOYEE PERFORMANCE APPRAISAL FORM ("Performance Forms")

- i. DPM shall reduce the number of employment events that require an Employee Performance Appraisal Form ("Performance Forms"), including eliminating any requirement that Performance Forms be created when an employee leaves employment or when a manager/supervisor leaves employment. DPM shall also develop an automated process by which these Performance Forms can be created, processed, and submitted online. DPM shall explore other computer software programs to more efficiently create and process Performance Forms.

g. POSITION CLASSIFICATION QUESTIONNAIRES (PC)

- i. DPM shall streamline the Position Classification process. DPM shall create a separate, more streamlined process for promotions of existing employees that does not require submission of a full PC to reclassify that employee's position or a new employment

application. DPM shall work to expedite the PC process for creating new positions and reclassifying vacant positions, including an automated process by which programs can submit online such PCs and DPM can approve them. DPM shall explore computer programs to more efficiently create and process PCs.

- ii. If the hiring program has available funds, DPM shall allow the program to hire an applicant at a higher position than advertised, if they meet the qualifications of the higher position, without requiring the submission and approval of a full PC to reclassify the position.

#### h. SALARY APPOINTMENT RATE

- i. Pursuant to Section VII(E) of the Personnel Policies, the Division Director of the Division of Human Resources and the Appointed Division Director shall approve the hiring of an applicant within the established salary range for the position, and shall not require the assignment of the employee to Step A of the pay grade for the position, if (1) the hiring program requests a higher grade step, (2) the applicant has the appropriate qualifications for a higher step, and (3) the program has available funds to hire at the higher step.
- ii. Pursuant to Section VII(F) of the Personnel Policies, the Division Director of the Division of Human Resources and the Appointed Division Director shall approve the hiring of an applicant at a special rate, if (1) the hiring program requests a higher rate, (2) the applicant has the appropriate qualifications, (3) the applicant cannot be recruited without the special rate, and (4) the program has available funds to hire at the higher rate.

#### i. DIVISION OF HUMAN RESOURCES (DHR) GENERAL REQUIREMENTS

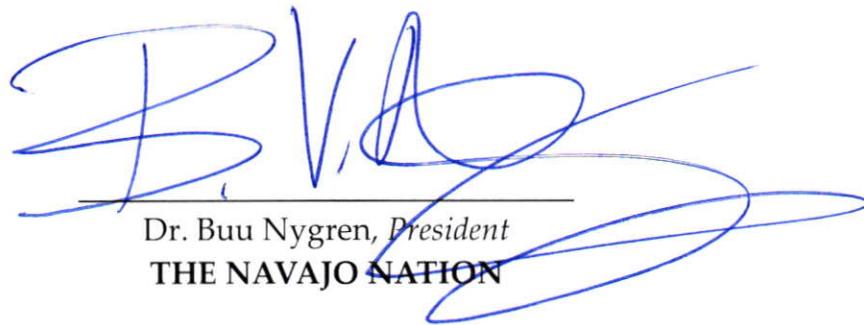
- i. To the extent that some mandates above require additional funds or staff to implement, the Division Director of the DHR shall submit a budget proposal to OPVP, and, if appropriate, seek an increase in DPM's annual budget, supplemental appropriations or other available funding sources to hire additional staff or contractors, and to acquire the necessary technology.

- ii. The Division Director of the DHR shall submit a written report, to be posted publicly on Office of the President and Vice President's website, at the end of each quarter of the Navajo Nation fiscal year that update's OPVP on the progress in implementing each of the above mandates.

7. EFFECTIVE DATE

- a. The mandates in this Executive Order shall apply to all new Job Vacancy Announcements posted after January 9, 2024. All existing Job Vacancy Announcements that have been posted shall follow the prior application requirements.

**EXECUTED this January 9, 2024.**



Dr. Buu Nygren, *President*  
**THE NAVAJO NATION**

**ATTEST:**



Ethel Branch, *Attorney General*  
**Navajo Nation Department of Justice**

