

Phase 1

Job Aid for Management

Removal of Reprimands

Action	
<p>Prior to the Removal of Reprimands, an Agency must contact the Labor Relations Division at Labor.Relations@state.nm.us.</p>	
<p><u>CWA - Article 16. Section 4:</u></p> <p>One (1) year after an employee has received a letter of reprimand, the employee may request that the letter of reprimand be removed from the employee's personnel file.</p> <p>If the employee has not committed any further infractions of work rules during the preceding year, the Employer shall not use the reprimand as the basis for further discipline, and shall remove the letter of reprimand from the employee's personnel file and return it to the employee. If such action could subject the Employer to potential liability to third parties, a copy may be retained in a secure location for legal purposes within the agency.</p> <p>Denial of an employee's request under this Section shall be explained to the employee in writing.</p> <p>Such explanation shall include an indication of when the Employer may be willing to remove the reprimand, which shall normally be within five (5) years of the date of issuance. In cases of denial, an employee may reinitiate a request for removal at a later date.</p>	<p><u>AFSCME - Article 17. Section 4:</u></p> <p>One (1) year after an employee has received a letter of reprimand, the employee may request that the letter of reprimand be removed from the employee's personnel file. If the employee has not committed any further infractions of work rules during the preceding year, the Employer shall not use the reprimand as the basis for further discipline, and shall remove the letter of reprimand from the employee's personnel file, unless such action could subject the Employer to potential liability to third parties. Denial of an employee's request under this section shall be explained to the employee in writing. Such explanation shall include an indication of when the Employer may be willing to remove the reprimand, which shall normally be within five (5) years of the date of issuance. In cases of denial, an employee may reinitiate a request for removal at a later date.</p>