

**This is an amendment to 1.7.3 NMAC, Sections 7, 8, 9, and 10, effective x/x/2026.**

**1.7.3.7 DEFINITIONS: “Classification plan”** means a document developed by the State Personnel Office (SPO) director and approved annually by the board, that describes the board’s classification philosophy and is the foundation for ensuring consistent application of the philosophy.  
[1.7.3.7 NMAC - Rp, 1 NMAC 7.3.7, 7/7/2001; A, 11/14/2002; A, 7/15/2005; A, 6/15/2010; A, x/x/2026]

**1.7.3.8 CLASSIFICATION PLAN:**

- A.** The (SPO) director, pursuant to direction from the board, shall establish, maintain and, in conjunction with state agencies, administer a classification plan for all positions throughout the classified service.
- B.** The board establishes a classification through the review, approval and adoption of new or revised classification descriptions.
- C.** The SPO director may authorize the deletion of unused classification descriptions and revisions to classification descriptions if the revision does not necessitate a study.
- D.** The SPO director shall provide affected parties an opportunity to comment on the creation, revision, and deletion of classification descriptions prior to implementation. The SPO shall appoint a job evaluation review committee. The SPO will provide training in the job evaluation review process. The committee shall submit recommendations to the SPO director for consideration.
- E.** Agencies may request classification reviews, classification studies and/or classification re-evaluations.

[1.7.3.8 NMAC - Rp, 1 NMAC 7.3.8, 7/7/2001; A, 11/14/2002; A, 7/15/2005; A, 6/15/2010; A, x/x/2026]

**1.7.3.9 POSITION ASSIGNMENT:**

- A.** The SPO director, in conjunction with state agencies, shall ensure that each position in the classified service is assigned to the classification that best represents the duties assigned by the employer and performed by the employee.
- B.** When a filled position is assigned a classification with a lower pay band, in accordance with the provisions Subsection A of 1.7.3.9 NMAC, the employee may elect to take a reduction in accordance with Subsection EE of 1.7.1.7 NMAC, or overfill the position in their current classification.
- C.** A position assignment decision as a result of a classification study may be appealed to the SPO director through the agency’s chain-of-command. Appeals to the SPO director must be in writing and include the agency’s analysis of the reasons for the appeal. Appeals must be submitted within 60 days of the implementation of the class study. The SPO director’s decision is final and binding.

[1.7.3.9 NMAC - Rp, 1 NMAC 7.3.9, 7/7/2001; A, 11/14/2002; A, 7/15/2005; A, 12/30/2005; A, 10/15/2008; A, x/x/2026]

**1.7.3.10 IMPLEMENTATION OF CLASSIFICATION STUDY RESULTS:** On a date determined by the SPO director, employees affected by a classification study shall be assigned to the resulting new classification which best represents the job performed without having to meet the established requirements, unless minimum qualifications are required by law.

[1.7.3.10 NMAC - Rp, 1 NMAC 7.3.10, 7/7/2001; A, 7/15/2005; A, x/x/2026]