



# New Mexico State Personnel Board

## State Personnel Office


Michelle Lujan Grisham  
Governor

Ricky A. Serna  
Acting Director

**State Personnel Board**  
Christine B. Romero, Chair  
Laura A. Liswood, Vice Chair  
Jerry Manzagol, Member

### **General Memorandum 2021-002**

To: Cabinet Secretaries, Agency Heads,  
and Human Resource Managers

From: Ricky Serna, Acting Director 

Date: April 26, 2021

Subject: Update on Exemption Requests  
and HR Processes

This Memorandum repeals State Personnel Office General Memorandum 2020-002, effective Monday, April 26, 2021.

Beginning on the effective date, agencies are no longer required to secure exemption request approval from the State Personnel Office (SPO) and Department of Finance and Administration (DFA) for recruitment or personnel actions. Actions submitted to date will be reviewed by SPO and DFA as required under State Personnel Office General Memorandum 2020-002.

#### **Recruitment**

Agencies shall resume their normal internal business processes to advertise positions through the SHARE Recruitment Module. No additional approvals are required at this time.

#### **Personnel Actions**

The following personnel and hiring actions referenced in General Memorandum 2020-002 shall require SPO and DFA approval as normally required by State Personnel Board Rule:

- In Grade Hires (over 114.7% compa-ratio), 1.7.4.12(A) NMAC;
- In Pay Band Adjustments (up to 10%), 1.7.4.12(C) NMAC;
- Promotions (less than 5% or more than 15%), 1.7.4.12(D) NMAC;
- Transfers (more than 10%), 1.7.4.12(G) NMAC;
- Temporary Salary Increases (up to 15%), 1.7.4.12(L) NMAC;
- Temporary Recruitment Differentials, 1.7.4.13(A) and 1.7.4.13(A)(2) NMAC;
- Temporary Retention Differentials, 1.7.4.13(B) and 1.7.4.13(B)(2) NMAC;
- Creation of positions, 1.7.3.9(A) NMAC; and
- Reclassification of positions, 1.7.3.9(A) NMAC.

Additionally, SPO approval remains necessary to doublefill a position pursuant to State Personnel Board Rule 1.7.5.8(C) NMAC.



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Pamela D. Coleman  
Director

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Carmen V. Chavez, Member  
Jerry Manzagol, Member

### General Memorandum 2020-002

To: Cabinet Secretaries, Agency Heads,  
and Human Resource Managers

From: Pamela D. Coleman, Director

Date: April 22, 2020

Subject: COVID-19 Public Health Emergency – Freeze on Hiring and Personnel Actions

As a responsible steward of taxpayer resources, and in order to reduce state spending, the State of New Mexico has instituted a freeze on hiring and personnel actions for classified employees subject to the Personnel Act who are not critical to directly meeting the immediate and day-to-day needs of responding to the COVID-19 public health emergency. Advertised positions funded by non-General Fund sources are not subject to this hiring freeze and may be filled, as needed, with prior approval from the Office of the Governor, Department of Finance Administration (DFA), and the State Personnel Office (State Personnel).

This hold is effective as of April 21, 2020, and until further notice.

### Background

The COVID-19 pandemic presents unprecedented health and economic challenges to the State of New Mexico. On March 11, 2020, Governor Michelle Lujan Grisham issued Executive Order 2020-004, Order Declaring A State of Public Health Emergency and Invoking the Powers Provided by the All Hazard Emergency Management Act and the Emergency Licensing Act, declaring a public health emergency due to the spread of the COVID-19 in New Mexico.

Through that Order, the Governor invoked the full measure of her authority under, *inter alia*, the All Hazard Emergency Management Act, NMSA 1978, § § 12-10-1 through 12-10-10, and the Public Health Emergency Response Act, NMSA 1978, 12-10A-1 through 12-10A-19. *Id.* That Order remains in effect. *Id.*

This public health emergency continues to have an unprecedented negative fiscal impact in New Mexico, across the country and around the world.

### **Recruitment**

Departments or agencies who wish to advertise positions that directly meet the immediate and day-to-day needs of responding to the COVID-19 public health emergency or that are not funded through the General Fund shall submit a request for approval to the Office of the Governor, DFA, and State Personnel via email at [Workforce.Planning@state.nm.us](mailto:Workforce.Planning@state.nm.us) prior to any recruitment.

The request for approval must include a justification as to why the position should move forward during this unprecedented public health emergency (see required form). Your department or agency will be notified once the Office of the Governor and both oversight agencies have approved.

All recruitment activities currently underway, including both standard and continuous advertisements must be cancelled. Applicants must be notified that the advertisement has been cancelled subject to the hiring freeze. State Personnel will assist agencies with notifying applicants. State Personnel will work directly with agency Human Resource staff to monitor their recruitment activity.

All transactions involving an applicant who has accepted an employment offer with an agreed upon start date may proceed, provided that the acceptance occurred prior to Tuesday, April 21, 2020. Any advertised position that does not have a confirmed offer and acceptance prior to Tuesday, April 21, 2020, is subject to the hiring freeze.

### **Personnel Actions**

Personnel actions subject to this guidance include classification actions (i.e., reclassification, upward or downward classification), In-Pay-Band salary increases, and Multiple Components of Pay (MCOP) increases (i.e. temporary retention differentials, temporary recruitment differentials, temporary salary increases, and temporary promotion increases). If your department or agency has a need for a critical exemption for a personnel action, you will be required to submit this request to the Office of the Governor and both DFA and SPO for approval via email at [Workforce.Planning@state.nm.us](mailto:Workforce.Planning@state.nm.us) (see required form) and await their approval before proceeding.

Any hiring actions, such as Salary Upon Transfer, In-Grade hires, and Promotional Increases, will require State Personnel approval as normally required by the State Personnel Board rules.