



# New Mexico State Personnel Board State Personnel Office

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## General Memorandum 2011 - 003

Date: September 19, 2011

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

From: Eugene J. Moser,  Director, State Personnel Office

Subject: Alternative Work Schedule

Alternative Work Schedules (AWS) and/or Compressed Work Schedules (CWS), as referred to as Flex Schedules, are allowed within agencies/departments as established within the State Personnel Board Rules and the collective bargaining agreements. However, budgetary constraints and the impact upon staffing levels and the delivery of services no longer allows agencies/departments the flexibility and ability that may have existed in the past to accommodate employee scheduling requests. Either an AWS or CWS currently in place may be rescinded for any applicable reason(s) provided a two week notice in writing is provided to the employee.

In evaluating an employee's request for either an AWS or a CWS the supervisor or manager prior to making any decision should consider:

- The work unit's operational needs, legitimate public service needs, safety concerns, and the need for supervisors to be present when an employee is on duty during the AWS or CWS.

- The sufficiency to absorb any budgetary impact if additional staffing is needed to absorb an employee's absence especially in compressed work in order to accommodate clientele needs and expectations.
- In coordination with the agency's/department's Human Resource (HR) office, if any performance deficiencies, attendance issues, disciplinary issues or personnel issues concerning the employee exist.
- Determine if an employee's application for an AWS or CWS cannot be approved because another employee is also requesting or is on the same or similar schedule which precludes the same AWS or CWS accommodation. In such situations agency seniority should be the determining factor as to which employee should be granted or maintained on the requested AWS or CWS.

A supervisor or manager is required to submit their recommendation for approval of either an employee's AWS or CWS to the Agency Director or Cabinet Secretary or Designees for review and concurrence before any AWS or CWS is approved. Agencies policies should be modified, if necessary, to accommodate this process.

The following outlines the process for handling an employee request for either an AWS or CWS.

- The employee must complete an application for an AWS or CWS and submit it to their immediate supervisor or manager for review.
- The supervisor or manager should work with the HR office of the agency/department and make a recommendation to the Agency Director or Cabinet Secretary or Designees for a decision. A written response with the reasons approving or denying the request must be made within two (2) weeks of the employee's request to the employee.