New Mexico State Personnel Office

FY13 1st Quarter Workforce Report

Mission: To deliver human capital management programs that advance our state agencies missions while protecting the rights of our state employees

CONTENTS

Director's Report

The State Personnel Office's (SPO) mission is to provide to the State of New Mexico human resource leadership, direction, and service to maximize state government's ability to better serve the citizens of New Mexico. SPO issues a quarterly report, as required by the Accountability in Government Act (AGA), to address HR metrics established within the General Appropriations Act (GAA). Additionally, this report is designed to not only focus on these metrics but to also identify other metrics necessary to evaluate the HR issues impacting management of state government. These metrics are requisite for all stakeholders in the development of action plans. Review of these metrics is critically important in addressing the myriad of issues facing state agencies as we face the myriad of challenges currently impacting the State's ability to recruit and retain qualified employees.

SPO is required and expected to conduct and lead workforce planning and policy development within state government on state human resource issues. SPO's mission is to provide an objective review of these issues and to guide and add value to the delivery of human resource programs throughout state government while working in partnership with the State Personnel Board, and state agencies. To accomplish this mission, SPO endeavors to:

- Provide timely, quality service to the board, the director, and state government agencies on the delivery of human resource program matters; and
- Recommend improvements in state government emphasizing economy, efficiency, compliance and effectiveness; and to also conduct other value-added reviews and projects as requested by the board and director.

Throughout this past year addressing inadequate and obsolete recruitment tools within state government is a prime example of this joint governance effort. Working with all parties, has reestablished:

- minimum qualification standards for all job classifications; and
- implemented an automated job applicant system.

Both changes meet SPO's statutory requirement to ensure the most qualified applicants are being referred for selection. The automated process has resulted in a 43 percent increase in applications. In FY13 SPO is reinitiating testing requirements of applicants for various classified positions. Both of these changes are resulting in a better qualified applicant pool and ensuring compliance with statutory requirements

Challenges addressing the myriad of compensation issues the state is facing require the development of data in determining a cogent path to follow in development of a corrective action plan in concert with the Legislature.

Sincerely,

Eugene J. Moser
Director

Workforce Overview

A review of workforce trends allow the state to identify areas requiring further analysis and provide insight into the state's ability to attract and retain a competent workforce. A review of the state's workforce demographics shows a significant change since FY09. This is largely due to attrition, budgetary limitations, and analysis of the agency need to fill all positions.

Employee Headcount
FY08-FY13 (YTD)
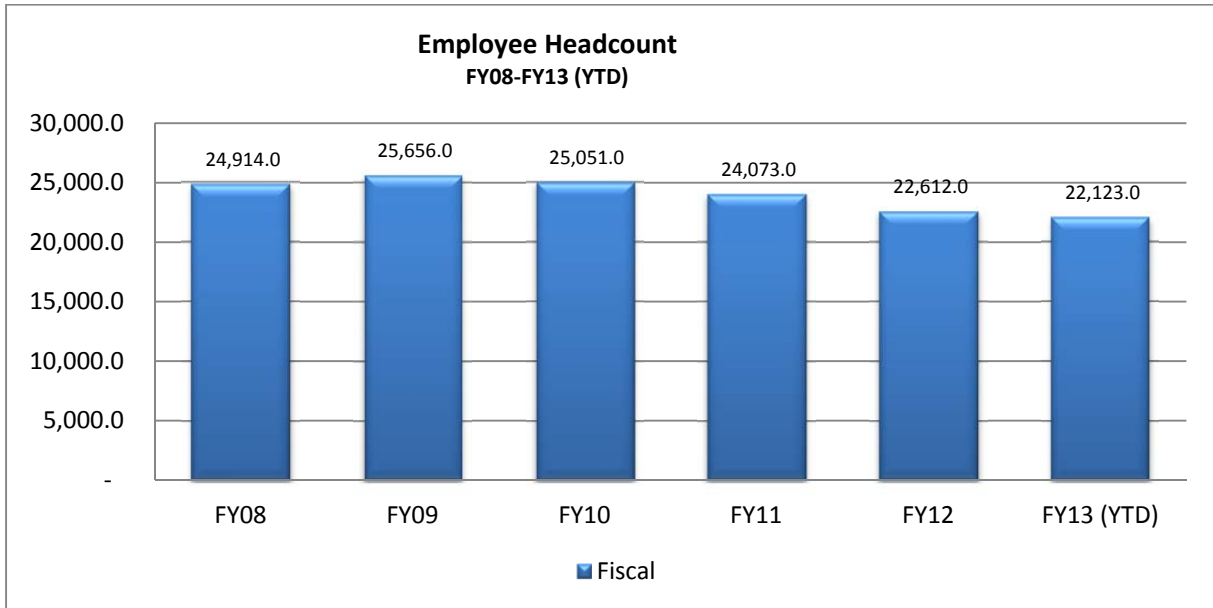
Through the first quarter of FY13 the number of State employees since FY09 decreased by 13.8%. As indicated in the Employee Headcount graph above, this reduction was incremental each FY largely as agencies assessed the need to not fill many positions as employees vacate positions through transfer or resignation.

Classified Employees Workforce

Fiscal Year Percent of Increase/Decrease
(Employee Headcount)

	FY09	FY10	FY11	FY12	FY13 (YTD)
■ Executive	2.7%	-2.7%	-4.2%	-6.6%	-2.4%
■ Legislative	11.1%	-2.2%	-3.4%	0.6%	-3.5%
■ Courts	5.1%	0.3%	-1.4%	-2.6%	-0.3%
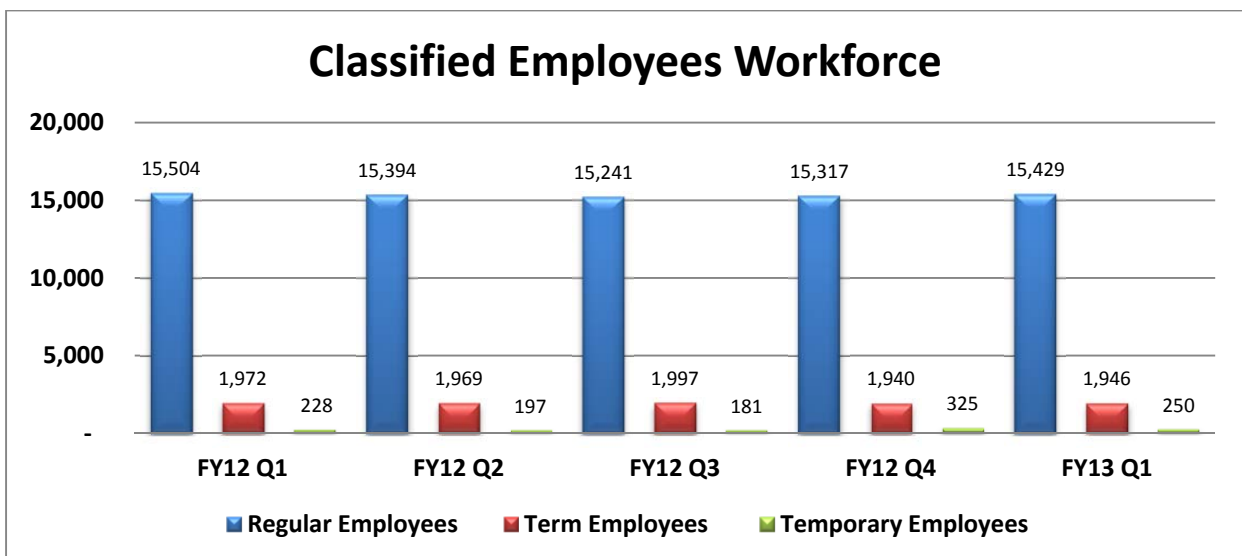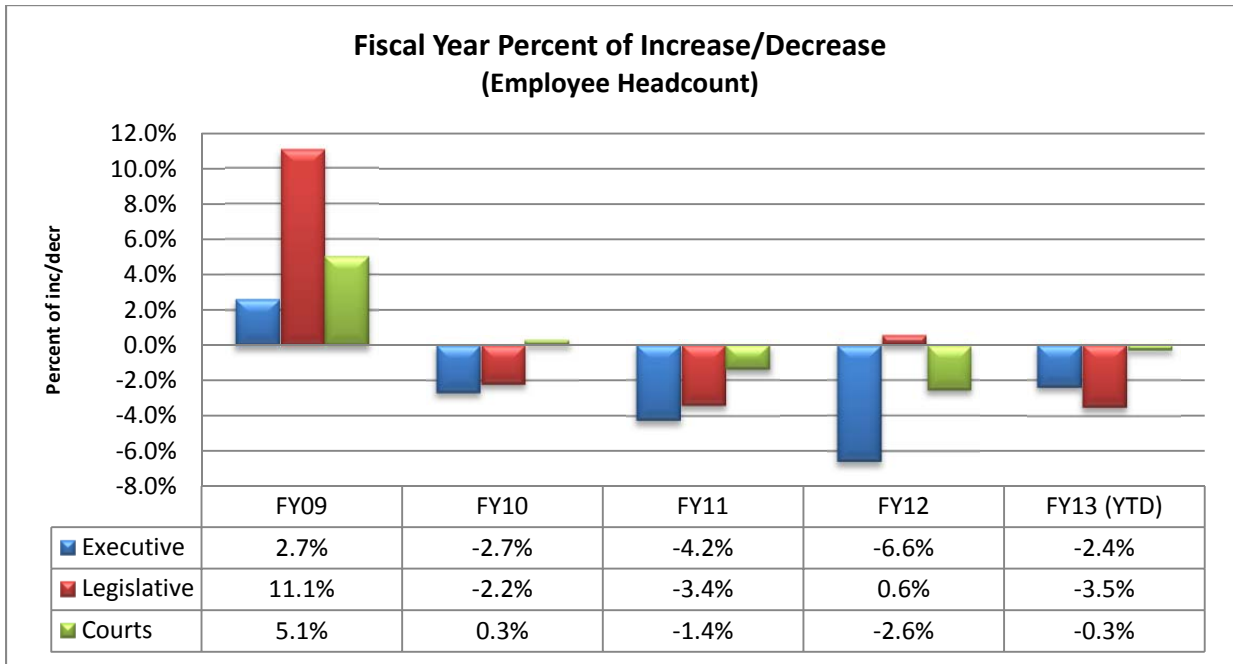
Classified Service at a Glance (as of September 30, 2012)

Workforce Data

Union Represented Employees	56.4%
Minority	63.5%
Female	54.6%
Male	45.4%

Employees on Board: 17,625

Regular: 15,429

Term: 1,946

Temporary: 250

Managers & Supervisors: 3,876

TOTAL COMPENSATION AS OF September 30, 2012

- AVERAGE BASE SALARY **$41,850**
- AVERAGE BENEFIT **$28,107**
- AVERAGE TOTAL COMPENSATION **$69,957**
- AVERAGE CLASSIFIED EMPLOYEE COMPA-RATIO **100%**

Total Compensation

Total compensation is a representation of a combination of an employee's average base salary and benefit expenditures pr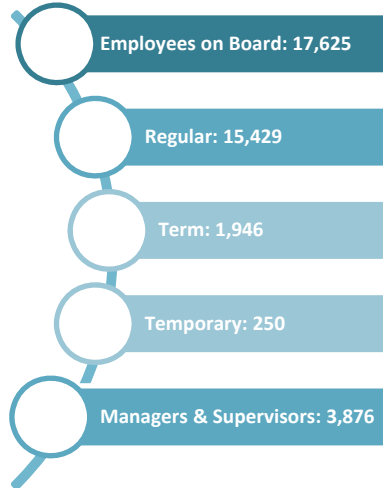ovided by the state for the employee. The cost of benefits for the average employee includes retirement, health and other insurances, FICA, and leave (annual, sick, etc.). Average benefit costs rose at the beginning of FY13 due to legislative changes to employee retirement contributions and Retiree Health Care insurance.

Concern continues regarding the impact of benefits expenditures upon total compensation levels Average benefits account for 39.5% of each employee's total compensation package. Since FY07 base pay increased by 8.2 percent while the average cost of benefits rose by 19.2 percent. In FY09 the bulk of this increase was due to base compensation rose 8.8 percent while benefit costs rose 19.2 percent. Since FY09 average base compensation as part of total compensation has decreased 0.6 percent; and, average base benefits has increased by 0.3 percent. It must be noted that anticipated

increases to health care insurance rates will have a significant impact upon average benefit costs as a percentage of total compensation.

Total Classified Compensation

Chart legend: Average Base Salary, Average Benefit

	FY07	FY08	FY09	FY10	FY11	FY12	FY13
Average Base Salary	$38,661	$40,594	$42,099	$42,058	$41,986	$41,912	$41,850
Average Benefit	$23,502	$23,502	$28,028	$27,387	$27,867	$27,328	$28,107
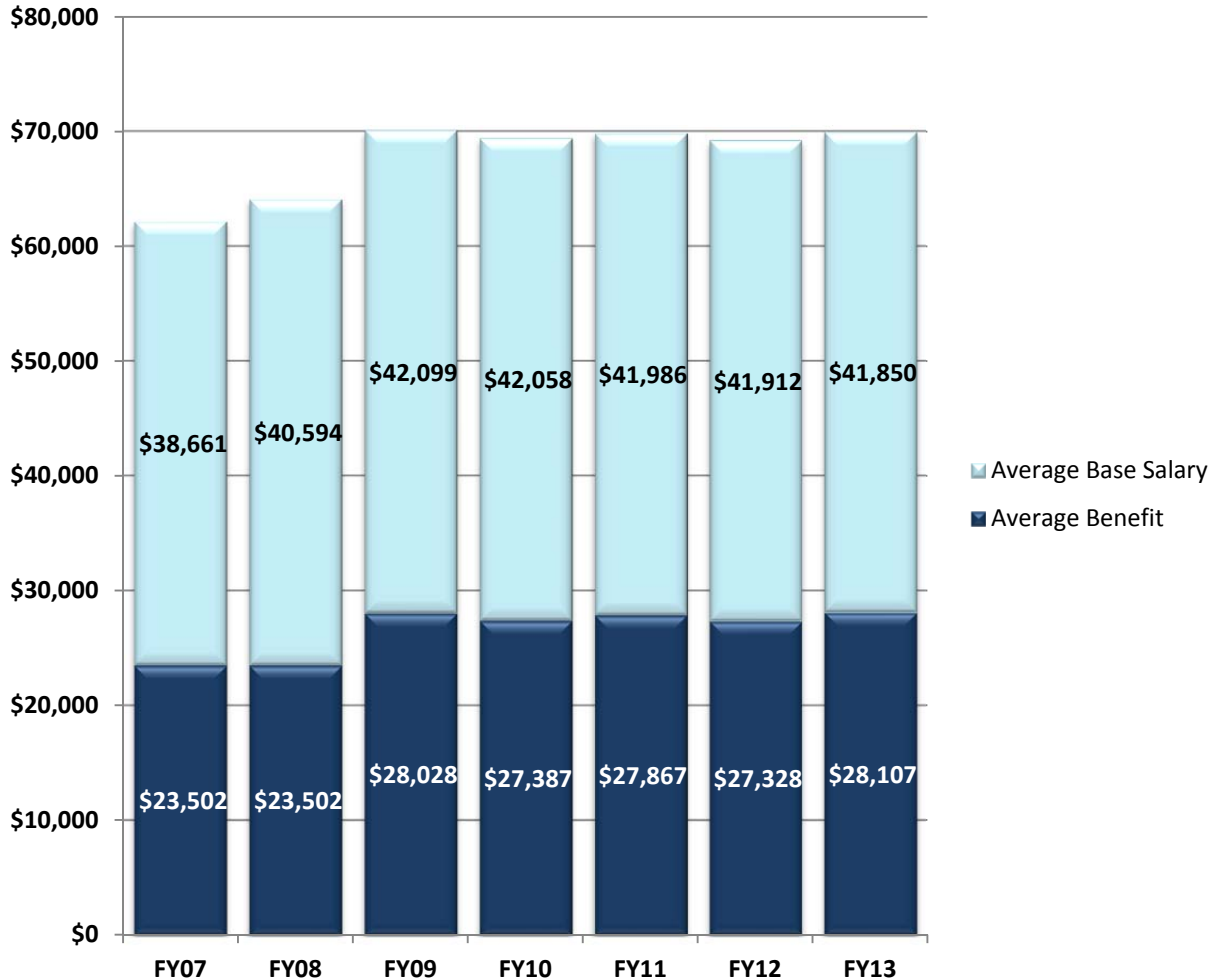
Multiple Components of Pay (MCOP)

State Personnel Board (SPB) Rules provide pay mechanisms which were designed to enhance recruitment and retention efforts allowing agencies tools to attract and retain a qualified workforce. The following represent the various mechanisms established by Rule:

- **Temporary Recruitment Differentials** (TREC) are authorized for positions documented as being critical to the business needs of an agency and for addressing problems for agencies who have demonstrated recruitment difficulty.

- **Temporary Retention Differentials** (TRET) are authorized for positions in which it is critical to retain an employee to maintain the business needs of an agency that would otherwise be disrupted if the employee left the position.

- **Temporary Salary Increases** (TSI) are used when an employee temporarily accepts and consistently performs additional duties that are the characteristics of a job requiring greater responsibility and accountability making

it a higher valued job. A TSI is a short-term salary measure that may be used until the conditions of the additional duties and responsibilities cease to exist and may not be extended beyond a one-year period.

> **In-Pay Band Salary Adjustments** (IPB's) provide agencies the latitude to recommend to the State Personnel Director a base compensation increase of up to 10 percent within a Fiscal Year for employees whose performance has demonstrated placement at a higher Compa-Ratio. This pay mechanism allows flexibility for agencies to provide salary growth within the Pay Band. The Department of Finance and Administration must also review IPB's to ensure current and future agency budget availability.

MCOPs represent short term resolutions of compensation issues and were not designed to be permanent increases to an employee's base salary. As pointed out in FY12, many of these MCOPS were used as a permanent resolution to maintain a qualified workforce due to the lack of pay increases over a three year period despite SPB Rules prohibiting such practice. Withdrawal of these increases to comply with rule limitations was not being enforced. To address this issue and to bring into compliance with SPB rules, agencies were assisted by SPO in re-examining these increases; and many, if not all, resulted in these positions reclassified to not impact employee pay.

It must be noted that agencies between FY09 and FY11 were prevented from reclassifying most positions in order to address non-competitive compensation levels.

As noted in the following graph, the implemented changes and close monitoring by SPO of agency activities resulted in a significant reduction of temporary and proper usage of IPBs to correct compensation and classification management not being addressed in the prior administration.

Multiple Components of Pay By Fiscal Year
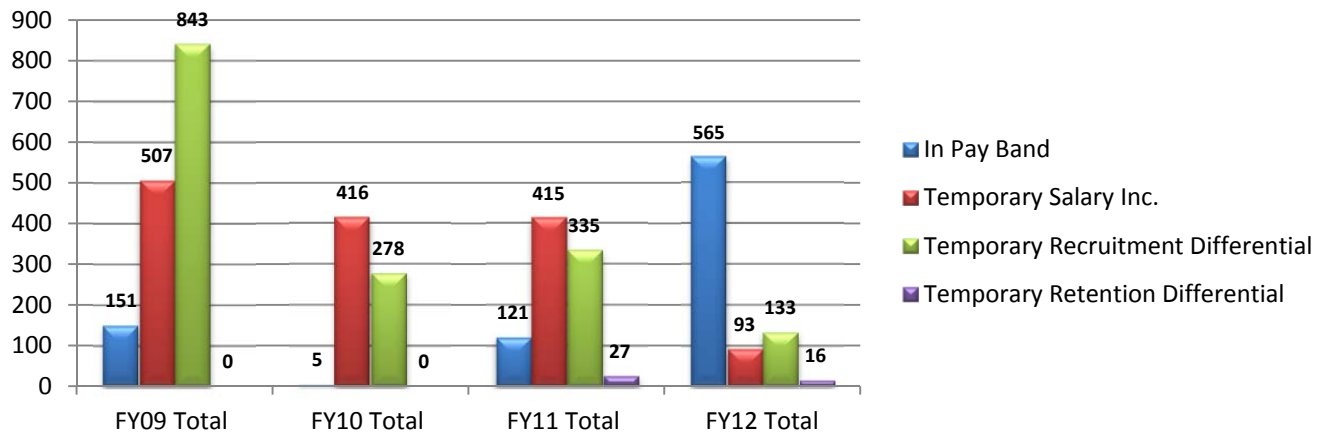
Average Employee Compa-Ratio
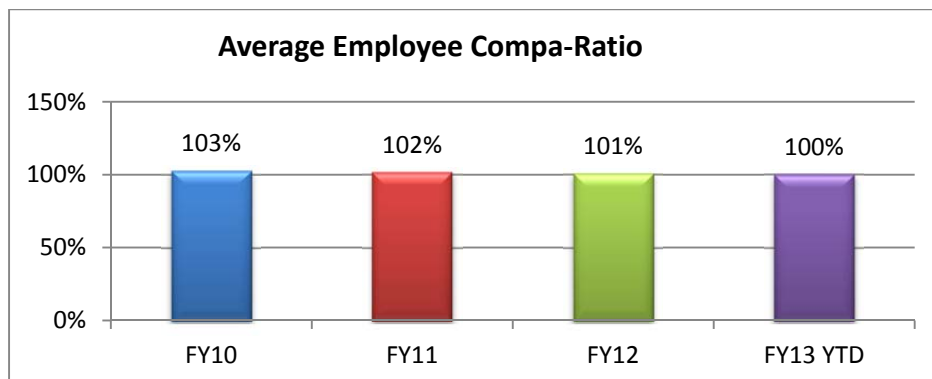
Overtime

Overtime costs and usage in the 1st quarter of FY13 increased sharply over the same period in FY12 by 11.5 percent. Overtime costs over the same period in FY12 increased by 8.8 percent. These totals are inclusive of both straight time and time and one half.
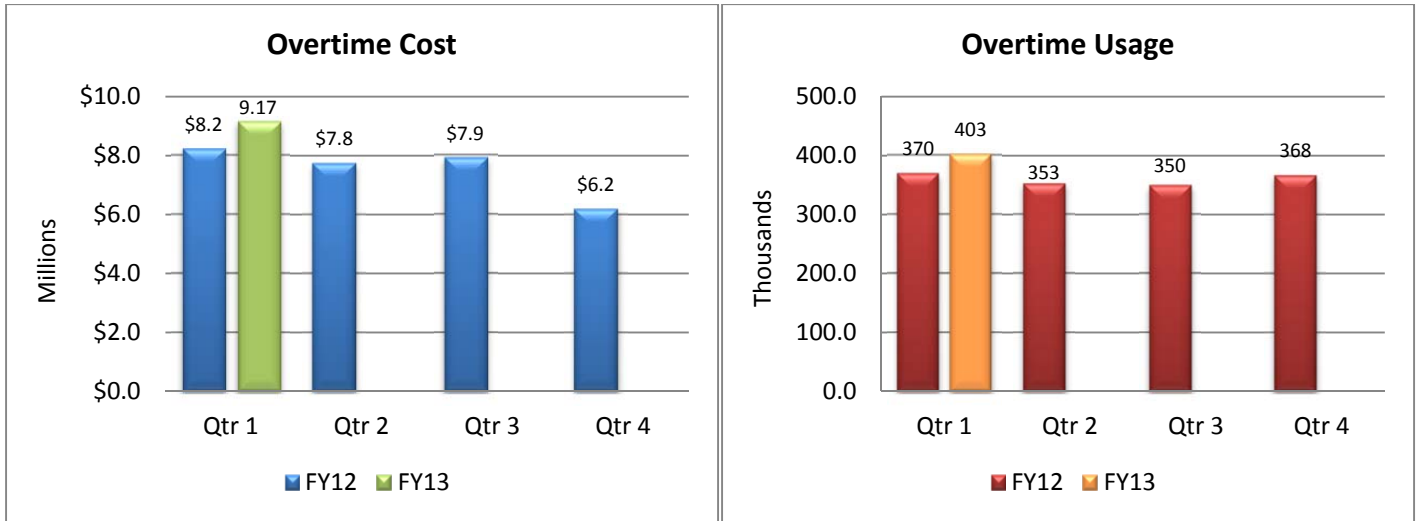
Note: The above graphs account for both overtime accrual and payout at straight time and time and a half
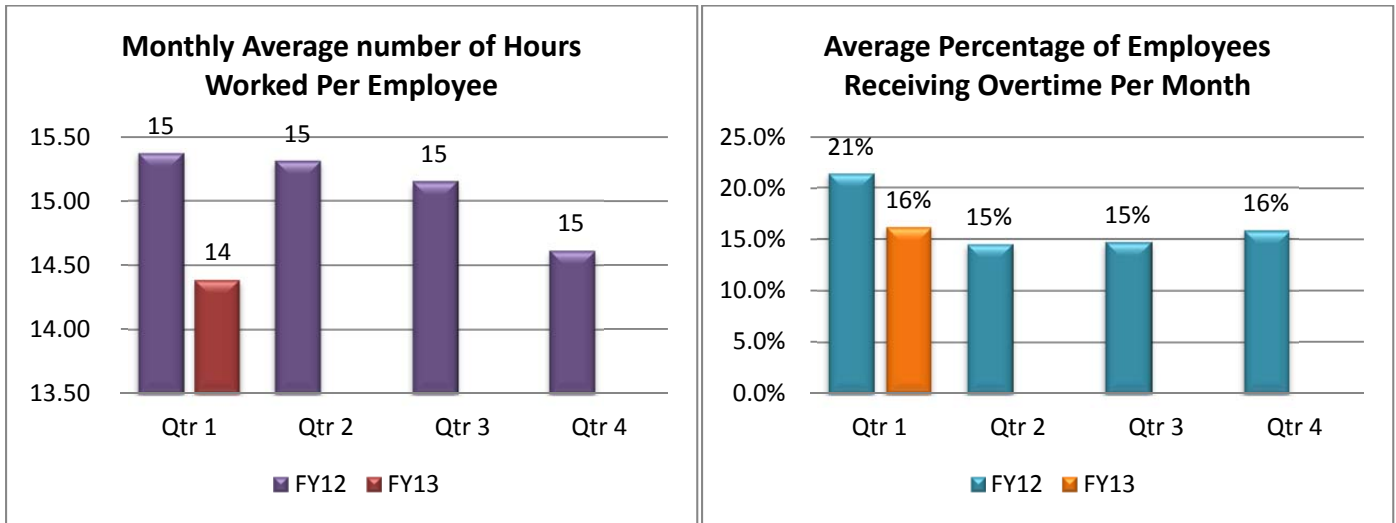
Sick Leave

Sick leave usage through the 1st quarter of FY13 continued to decrease as seen in FY12. A reduction in 20 thousand hours from the same period in FY12 is a significant decline in a 400 thousand dollar decrease from the same period in FY12. Which is seen in the graphs on the next page

Sick Leave Cost

	Q1	Q2	Q3	Q4
FY12	$7.7	$7.3	8.0	$7.3
FY13	7.3			

(Millions; y-axis: $0.0 to $10.0)

■ FY12 ■ FY13

Sick Leave Hours Used

	Q1	Q2	Q3	Q4
FY12	382.0	357.5	395.7	363.4
FY13	362			

(Thousands; y-axis: - to 500.0)

■ FY12 ■ FY13

Annual Leave

The graphs below show annual leave usage through the 1st quarter of FY13 and its budgetary impact. The 1st quarter of FY13 use was approximately 4.5 days per employee.

Actual Annual Leave Cost

	Qtr 1	Qtr 2	Qtr 3	Qtr 4
FY12	$11.3	$13.1	$7.3	$9.4
FY13	$10.8			

(Millions; y-axis: $- to $15.0)

■ **FY12** ■ **FY13**

Actual Annual Leave Hours Used

	Qtr 1	Qtr 2	Qtr 3	Qtr 4
FY12	540.6	622.1	358.4	456.8
FY13	519.3			

(Thousands; y-axis: - to 800)

■ FY12 ■ FY13

Classified Service Recruitment Trend

SPO is responsible to not only assist applicants applying for jobs within the state's classified service, but also to ensure the most qualified applicants are referred to fill vacant positions. Beginning in the second quarter of FY12, SPO implemented a mor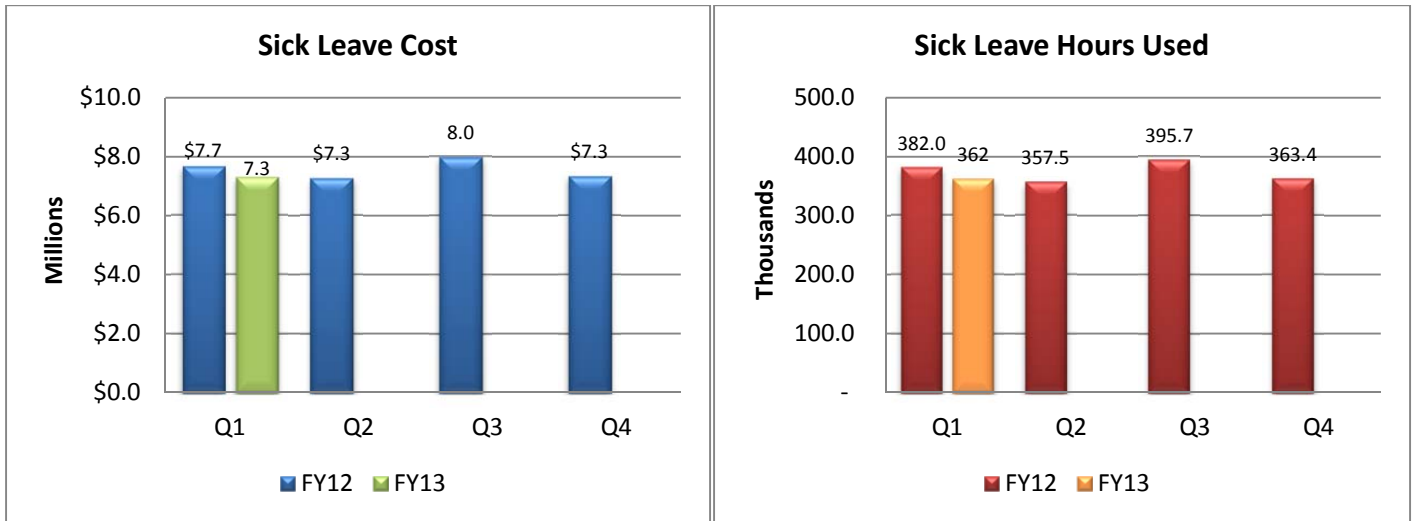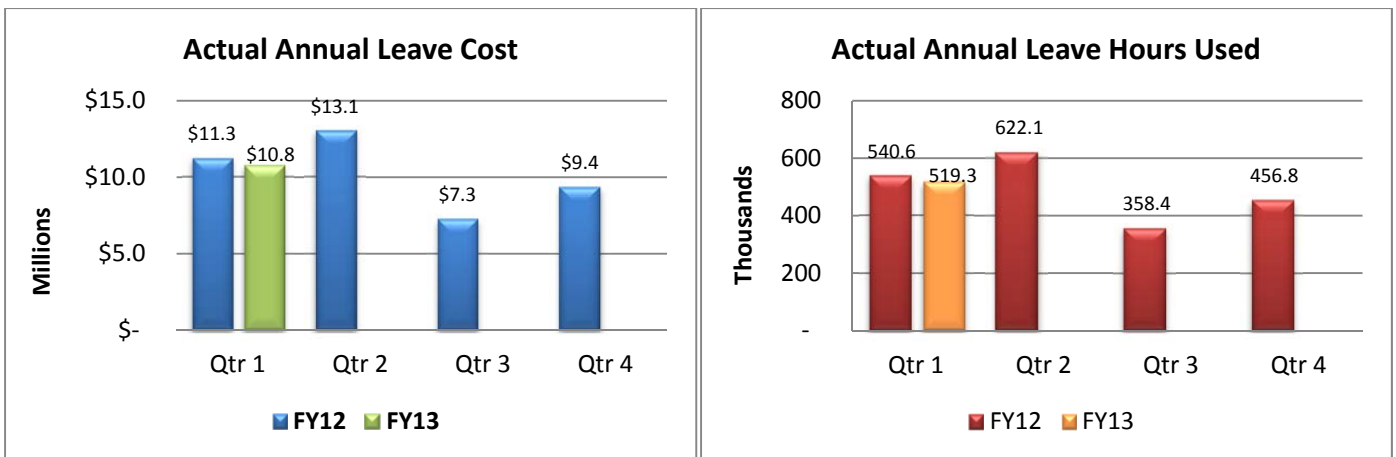e flexible and responsive applicant tracking system through NEOGOV in addition to a web-based pre-employment testing system through Criteria Corporation. The these two systems bring the state back into compliance with the State Personnel Act which mandates a competitive ranking of applicants in addition to employment testing for all applicants. It must be noted and stressed that NEOGOV is an applicant tracking system currently being utilized by over 17 states in addition to thousands of municipal and county governments.

Since implementation all applicants for classified positions are now competitively ranked with testing is to be initiated at the beginning of the fourth quarter of FY13. These provisions rank qualified job applicants on certified lists submitted to the recruiting managers. This brings the state back into full compliance with the Personnel Act. Additionally, it also facilitates an applicant's ability to track online their progress through the recruitment process. The applicant tracking system maintains an applicant's application in its database thus facilitating the applicants an ability to apply for multiple

positions without having to reenter separate applications for each position. Additionally, applicants are now able to focus job searches by geographic and department preferences allowing the applicant's to quickly isolate their job search.

The following graphs illustrate the growth over the past year and one-half in both the number of positions being advertised and the expansion of the pool of applicants for consideration. While the number of days to fill a position has increased it is attributed to the dramatic increase in applications being processed, screened, the number of positions being advertised, and bringing SPO back into compliance with the Personnel Act. This happened while SPO recruitment staff that processes applications did not increase. This required, sooner rather than planned, utilization of agency HR staff in the assessment, scoring and ranking applicants in addition to training and expansion of auditing requirements.

As a result of the utilization of a more facile application process (NEOGOV) in FY12, two thousand and seven hundred and fifty eight (200,758) applications were received and processed for 4,725 jobs advertised. Both of these metrics illustrate the dramatic increase in both positions advertised and applications received as compared to the prior FY. In the 1st quarter of FY13 as agencies strived to fill budgeted positions, one thousand four hundred and two (1,402) classified positions were advertised compared to 844 positions in the 1st quarter of FY12.   In this same timeframe 53,596 applications were received as opposed to 46,887 for the same quarter in FY12.

Job Postings and Applications Received by Quarter
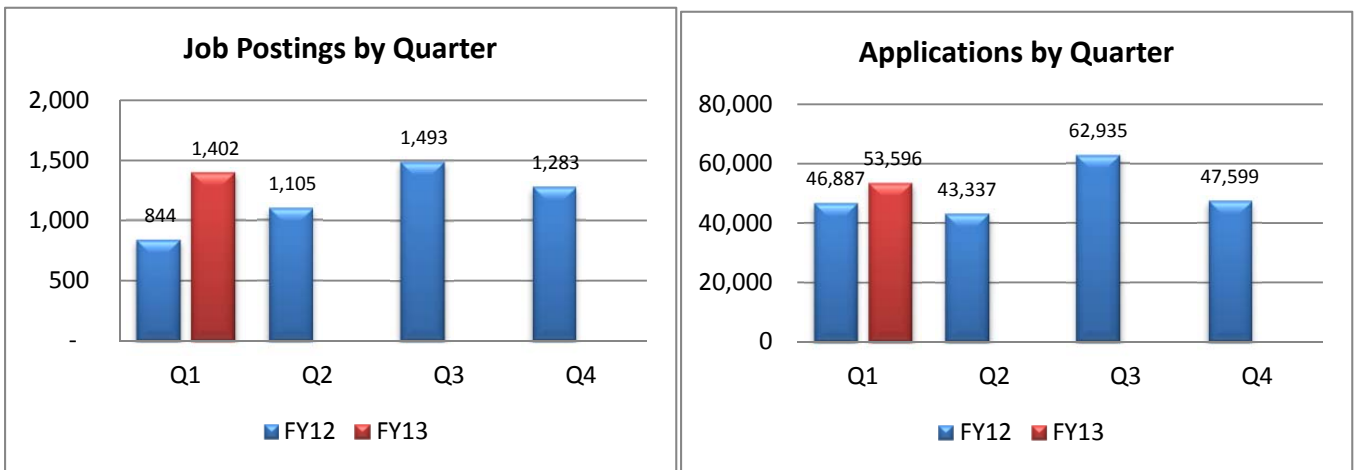
Number of Applications and Job Postings by Fiscal Year

	FY13 (YTD)	FY12	FY11	FY10	FY09
■ Applications Received	53,596	200,758	125,670	111,932	123,684
■ Number of Job Postings	1,402	4,725	3,439	2,904	4,268
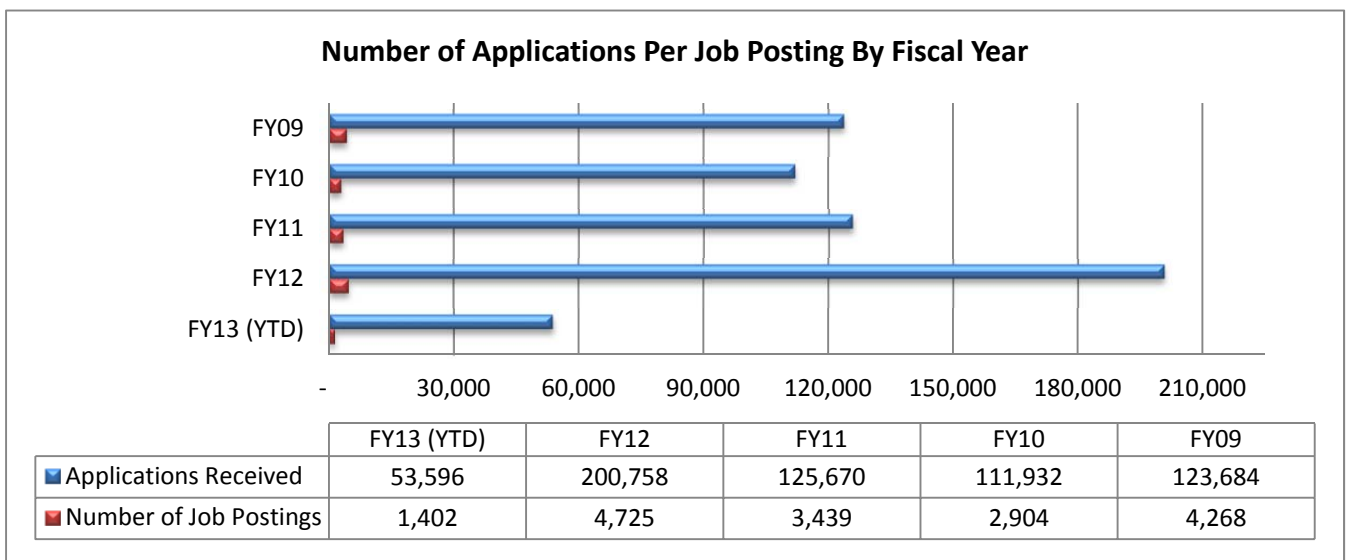
FY13 – 1st Quarter Top 20 Advertising Agencies

Agency	# of Job Postings	# Of Hits
Department of Health	304	172,853
Department of Transportation	221	74,331
Children, Youth & Families Department	185	126,600
Human Services Department	128	67,458
New Mexico Corrections Department	81	33,728
Public Defender	67	15,113
Taxation & Revenue Department	50	32,586
Public Education Department	36	17,296
Department of Workforce Solutions	25	15,670
Regulation & Licensing Department	24	20,852
Energy, Minerals & Natural Resources Department	24	13,727
Department of Environment	23	16,486
Department of Public Safety	23	12,666
Department of Vocational Rehabilitation	21	9,654
Office of the State Engineer	20	11,200
Department of Cultural Affairs	14	10,931
General Services Department	14	7,882
NM Higher Education Department	14	6,403
Miners Colfax Medical Center	14	5,641
Public Regulation Commission	13	7,640

FY13 – 1st Quarter Highest Job Classification Activity

Classification	# Job Postings	# of Job Posting Hits
Social & Community Service Coordinator	101	64,269
Staff Manager	48	28,989
Office Clerks, General	46	27,366
Highway Maintenance Workers	45	9,813
Civil Engineering Technicians	39	10,566
Administrative Operations Manager II	39	26,718
Registered Nurses	32	16,289
Management Analyst	28	15,902
Line Manager II	27	15,029
General Manager I	26	17,803
Family Assistance Analyst I	24	11,463
Secretary, Except Legal, Medical, & Exec	23	12,662
Executive Secretary & Admin Assist	23	23,667
Public Defender 3	22	3,553
Accountants and Auditors	22	13,200
Business Operations Specialist	22	15,674
Financial Specialist, All Other	19	13,048
HR, Training & Labor Relations Specialist	18	10,248
Lawyers	17	6,128
IT Applications Developer Level III	17	11,269

Classified Service New Hires

In FY12 new hires in the classified service were eighty-two percent (82%) above FY11 levels representing a significant effort to fill budgeted positions and replace departing employees. This effort in FY13 continues as new hires were one-hundred and one percent (101%) above the same period in FY12. This growth is attributed to departments striving to fill vacant budgeted positions as Governor Martinez lifted the prior administration's ban on filling even budgeted positions. This has had a positive impact upon not only the delivery of services but also the improvement of employee morale throughout state government.

FY13 New Hires by Quarter

New Hires By Quarter Fiscal Year Comparison

Quarter	FY12	FY13
Q1	426	856
Q2	598	
Q3	504	
Q4	665	

■ FY12 ■ FY13
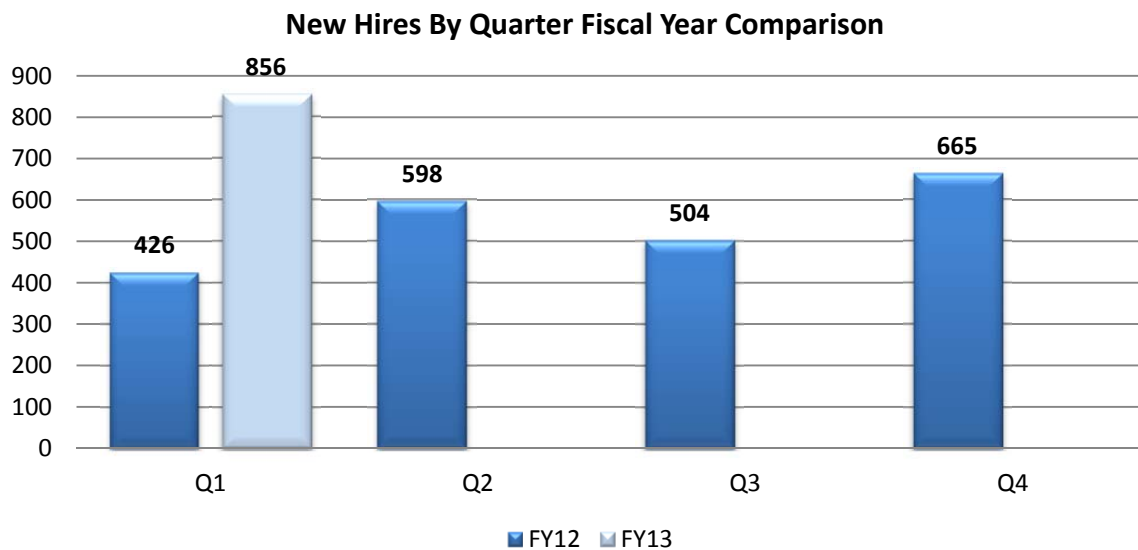
NOTE: Hires represent only new hires and do not include promotions of state employees

FY13 New Hires by Fiscal Year

Classified Hires by Fiscal Year

FY10	FY11	FY12
1,735	1,205	2,193
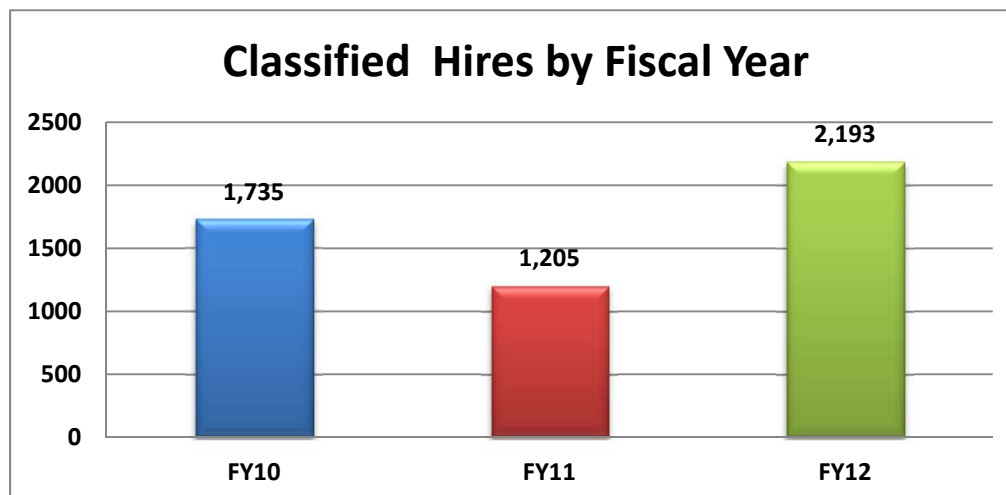
New Hire Compa-Ratio

Compa-ratio for newly hired employee is well above budgeted entry salaries for vacancies appropriated by the Legislature. This is a direct result of salary structure adjustments made in the past decade not resulting in adjustments made to the salary plan. This resulted in entry level salaries in the salary plan lagging far behind market rates forcing departments, in order to attract and compete, to hire at higher rates closer to or in excess of range mid-points. This failure to effectively manage the salary plan is a contributing if not major factor in employee turnover and difficulty in attracting well-qualified applicants.

New Hire Compa-Ratio
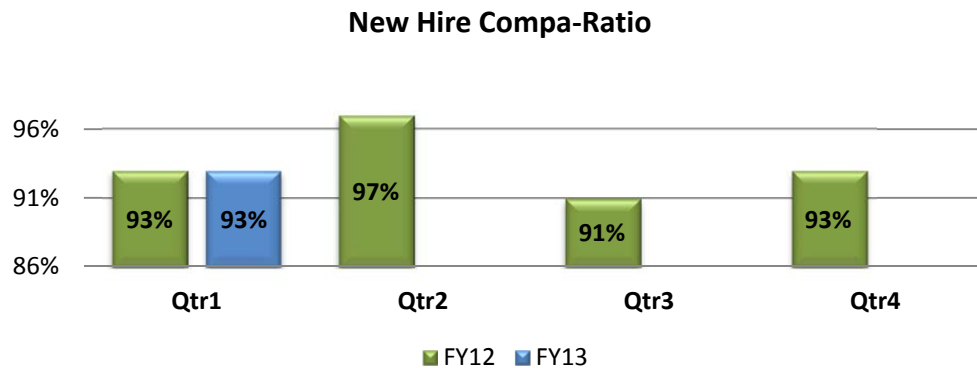
FY13 – 1st Quarter New Hire Compa-Ratio by Pay Band

Pay Band	Average of Compa-Ratio	# of Employees
25	0.92	34
30	0.95	76
35	0.86	59
40	1.01	49
45	0.96	63
50	0.85	161
55	0.92	73
60	0.89	113
65	1.00	71
70	1.00	61
75	1.06	53
80	1.00	18
85	1.02	18
90	1.05	3
95	0.98	3
96	1.00	1
Average New Hire Compa-Ratio	**0.93**	**856**

New Hire Demographics

Ethnicity	Female	Male	Grand Total	% Per Ethnic Group
African American	11	14	25	3%
American Indian	21	4	25	3%
Asian	4	2	6	1%
Caucasian	152	121	273	32%
Hawaiian	0	2	2	0%
Hispanic	249	187	436	51%
Not Specified	50	39	89	10%
Grand Total	486	369	856	100%
% Per Gender Group	57%	43%		

FY13 – 1st Quarter New Hire Percentage per Ethnic Group
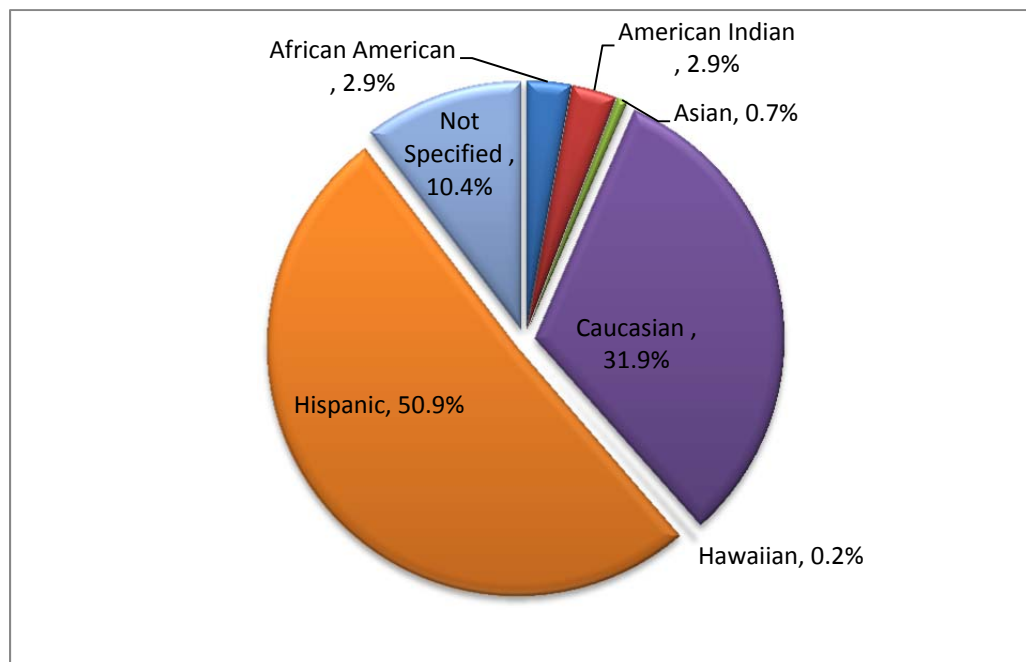
New Hire Separations

FY13 – 1st Quarter New Hire Separation Reasons

Separation Reasons	# of Employees
Resignation	18
Personal Reasons	6
Quit without Notice	4
Attendance	4
Health Reasons	4
Failed Condition of Employment	3

Separation Reasons	# of Employees
Unsatisfactory Performance	3
Violation of Rules	2
Probation Period not completed	2
Dissatisfied w/Work Conditions	1
Resignation-Other Position	1
Falsified Qualifications	1
Accepted New Job (Non-Comp)	1
Misconduct	1
Grand Total	51

FY13 – 1st Quarter New Hire Separation by Agency

Agency	# of Employees
Department of Health	15
New Mexico Corrections Department	15
Human Services Department	5
Children, Youth & Families Department	5
Department of Workforce Solutions	3
Public Defender	2
Department of Environment	2
Taxation & Revenue Department	1
Economic Development Department	1
Aging & Long-Term Services Department	1
Commission for the Blind	1
Grand Total	51

Classified Employee Separations

Separations by Quarter

Separations By Quarter

Quarter	FY12	FY13
Q1	576	690
Q2	635	
Q3	511	
Q4	610	
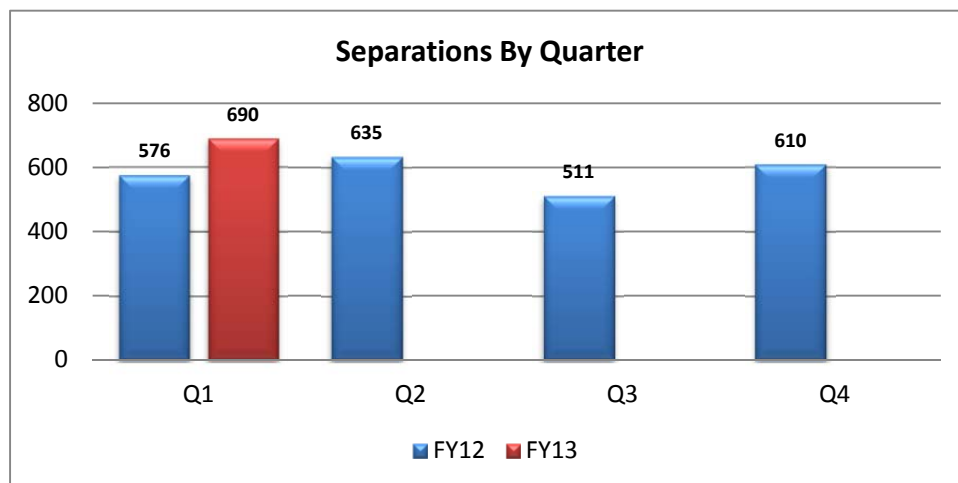
Separations by Fiscal Year

Classified Separation By Fiscal Year

2,486

2,163

2,332

- FY10 FY11 FY12
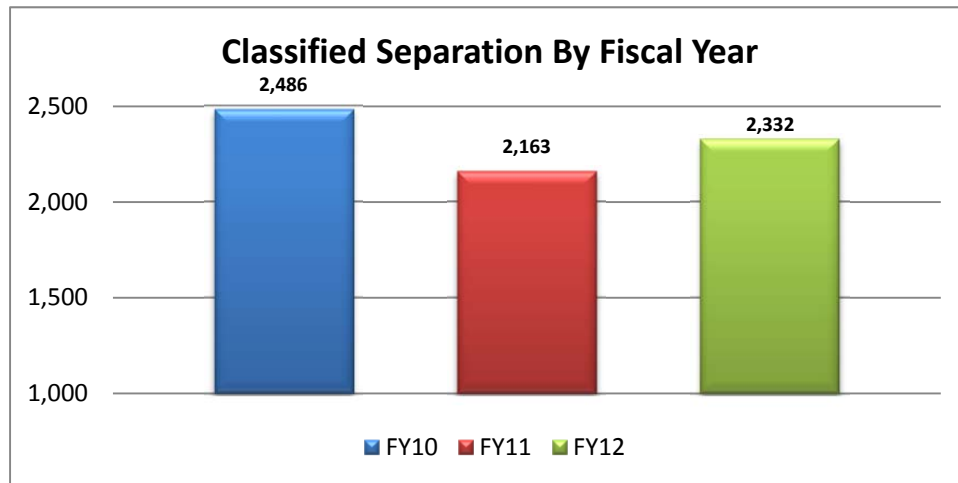
FY13 1st Quarter Classified Separations by Reason

Reason	Q1	Q2	Q3	Q4
Resignation	255			
Normal Retirement	114			
Personal Reasons	65			
Misconduct	45			
Accepted New Job (Non-Competitor)	29			
Health Reasons	19			
Attendance	14			
Accepted New Job (Competitor)	12			
Relocation	12			
Resignation-Other Position	12			
Unsatisfactory Performance	12			
Violation of Rules	11			
Discharge	10			
Failed Condition of Employment	9			
Probation Period not completed	9			
Quit without Notice	8			
Return to School	7			
Death	6			
Disability Retirement	6			
Family Reasons	6			
Unforeseen Circumstances	5			
Early Retirement	3			
End of Appointment	3			
Insubordination	3			

Reason	Q1	Q2	Q3	Q4
Vested Retirement	3			
Dissatisfied with Type of Work	2			
Other Medical	2			
Dissatisfied with Work Conditions	1			
Dissatisfied with Hours	1			
Falsified Qualifications	1			
Leave of Absence Expiration	1			
Position Discontinued	1			
Reorganization	1			
RIF - SPO Board Approved	2			
Total	690			

FY13 1st Quarter Classified Separations by Agency

Agency	# of Employees
Department of Health	162
Children, Youth & Families Department	89
New Mexico Corrections Department	82
Department of Transportation	66
Human Services Department	62
Taxation & Revenue Department	34
Department of Workforce Solutions	25
Public Defender	15
Public Education Department	13
Miners Colfax Medical Center	12
Department of Public Safety	11
Department of Game & Fish	9
Department of Vocational Rehabilitation	9
Department of Environment	8
Aging & Long-Term Services Department	8
Department of Cultural Affairs	8
Department of Information Technology	8
Public Regulation Commission	7
Energy, Minerals & Natural Resources Department	7
General Services Department	6
NM Higher Education Department	6
Regulation & Licensing Department	5
State Personnel Board	4
Tourism Department	4

Agency	# of Employees
Department of Finance & Administration	3
Office of the State Engineer	3
State Land Office	3
Commission for the Blind	2
Commission of Public Records	2
Homeland Security & Emergency Management	2
Board of Nursing	1
Crime Victims Reparation Commission	1
Department of Indian Affairs	1
Department of Veteran Services	1
Developmental Disabilities Planning Commission	1
Economic Development Department	1
Gaming Control Board	1
Livestock Board	1
Military Affairs	1
Prof Engineers & Land Surveyors Board	1
Public Employee Retirement Association	1
Retiree Health Care Authority	1
Secretary of State	1
State Investment Council	1
Workers Compensation Admin	1
Total	690

Statewide Classified Turnover Rate

The statewide classified employee turnover rate in FY13's first quarter declined to 8.2 percent as compared to FY12's first quarter rate of 10.7 percent. The table attached reflects classified employee quarterly turnover rates by department. Quarterly analysis for both Fiscal Years indicates a stabilization of employee migration rates. Statewide agency trend lines in turnover are being tracked and will be closely monitored in FY13. It should be noted that this is the first time that information has been presented on all agencies and allows for better analysis by SPO and agencies in determining causal effects Turnover is attributable to many factors beyond control such as retirement, transfer and promotional opportunity.

Statewide Turnover Rate

■ FY12   ■ FY13

	Q1	Q2	Q3	Q4	Average
FY12	10.7%	8.3%	8.9%	7.3%	8.8%
FY13	8.2%				8.2%
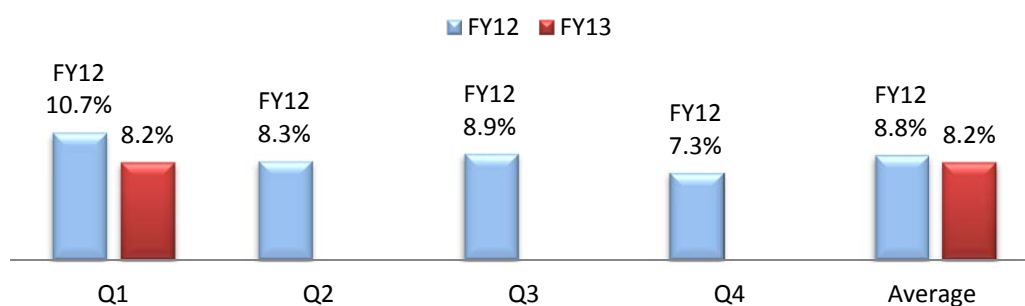
Business Unit	Agency Name	Q1	Q2	Q3	Q4	FY13 Average
30800	State Auditor	22.2%				22.20%
33300	Taxation & Revenue Department	8.3%				8.30%
33700	State Investment Council	4.5%				4.50%
34100	Department of Finance & Administration	6.2%				6.20%
34200	Public School Insurance Authority	0.0%				0.00%
34300	Retiree Health Care Authority	9.5%				9.50%
35000	General Services Department	7.4%				7.40%
35200	Educational Retirement Board	8.3%				8.30%
35500	Public Defender	8.0%				8.00%
36100	Dept. of Information Technology	10.1%				10.10%
36600	Public Employee Retirement Assoc.	3.1%				3.10%
36900	Commission of Public Records	14.8%				14.80%
37000	Secretary of State	0.0%				0.00%
37800	State Personnel Board	28.9%				28.90%
39400	State Treasurer	4.0%				4.00%
40400	Architect Examiners Board	100.0%				100.00%
41700	Border Development Authority	0.0%				0.00%
41800	Tourism Department	11.5%				11.50%
41900	Economic Development Department	3.0%				3.00%
42000	Regulation & Licensing Dept.	3.4%				3.40%
43000	Public Regulation Commission	8.6%				8.60%
44600	Medical Examiners Board	0.0%				0.00%
44900	Board of Nursing	6.7%				6.70%
46000	EXPO New Mexico	8.0%				8.00%
46400	Professional Engineers & Land Surveyors Board	33.3%				33.30%
46500	Gaming Control Board	2.2%				2.20%
46900	State Racing Commission	12.5%				12.50%
47900	Veterinary Examiners Board	0.0%				0.00%
49500	Spaceport Authority	0.0%				0.00%
50500	Department of Cultural Affairs	2.3%				2.30%
50800	Livestock Board	5.9%				5.90%
51600	Department of Game & Fish	7.0%				7.00%
52100	Energy, Minerals & Natural Resources Department	30.6%				30.60%
52200	Youth Conservation Corps	0.0%				0.00%
53900	State Land Office	5.0%				5.00%
55000	Office of the State Engineer	2.6%				2.60%
60300	Dept. of African American Affairs	0.0%				0.00%
60400	Com for Deaf/Hard of Hearing	0.0%				0.00%
60600	Commission for the Blind	1.8%				1.80%
60900	Department of Indian Affairs	12.5%				12.50%
62400	Aging & Long-Term Services Department	4.8%				4.80%
63000	Human Services Department	6.5%				6.50%
63100	Dept. of Workforce Solutions	7.1%				7.10%
63200	Workers Compensation Admin	3.0%				3.00%
64400	Dept. of Vocational Rehabilitation	4.5%				4.50%

Business Unit	Agency Name	Q1	Q2	Q3	Q4	FY13 Average
64500	Governor's Comm. on Disability	0.0%				0.00%
64700	Development Disabilities Planning Commission	14.3%				14.30%
66200	Miners Colfax Medical Center	19.9%				19.90%
66500	Department of Health	7.3%				7.30%
66700	Department of Environment	4.2%				4.20%
66800	Office of Natural Resource Trustee	0.0%				0.00%
66900	Health Policy Commission	0.0%				0.00%
67000	Department of Veteran Services	3.2%				3.20%
69000	Children, Youth & Families Department	7.4%				7.40%
70500	Military Affairs	3.2%				3.20%
76000	Adult Parole Board	0.0%				0.00%
77000	New Mexico Corrections Department	16.7%				16.70%
78000	Crime Victims Reparation Commission	5.9%				5.90%
79000	Department of Public Safety	5.0%				5.00%
79500	Homeland Security & Emergency Management	3.7%				3.70%
80500	Department of Transportation	5.4%				5.40%
92400	Public Education Department	10.9%				10.90%
94900	NM Education Trust Board	0.0%				0.00%
95000	NM Higher Education Department	25.0%				25.00%
	FY12 Classified Statewide Turnover Rate	8.2%				8.2%

Vacancy Rates

High vacancy rates on paper continue to appear to be high. Due to funding restrictions not all of FTEs in HB2 authorized for each agencywere were budgeted. However, the actual budgeted FTE are not reflected in HB2.This creates confusion and makes it impossible to discern what actual vacancy rates exist for each agency. While it is certain that vacancies need to be filled and tracked it is difficult to ascertain what was budgeted. Currently DFA and SPO are working with LFC to correct this in FY14's budget.

Statewide Vacancy Rate
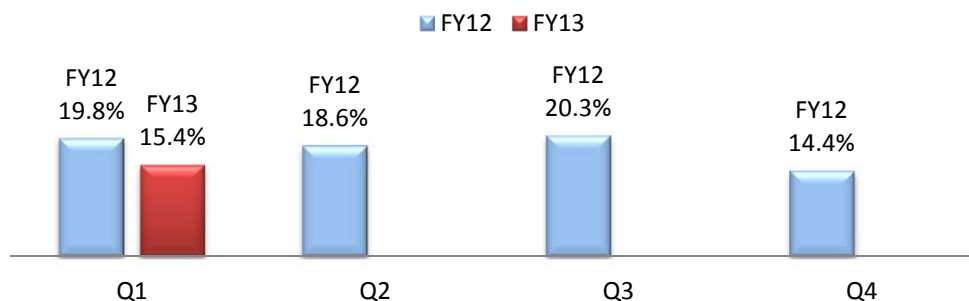
Quarterly Vacancy Rates for the 20 Key Agencies

Business Unit	Agency	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
21800	Administrative Office of the Courts	7.1%			

Business Unit	Agency	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
23200	2nd Judicial District Court	5.2%			
24400	Bernalillo Metropolitan Court	13.3%			
33300	Taxation & Revenue Department	23.4%			
35000	General Services Department	29.8%			
35500	Public Defender	13.6%			
42000	Regulation & Licensing Department	20.0%			
50500	Department of Cultural Affairs	12.1%			
52100	Energy, Minerals & Natural Resources Dept.	25.2%			
55000	Office of the State Engineer	17.3%			
63000	Human Services Department	10.6%			
63100	Dept. of Workforce Solutions	10.4%			
64400	Department of Vocational Rehabilitation	25.9%			
66500	Department of Health	18.7%			
66700	Department of Environment	17.3%			
69000	Children, Youth & Families Department	12.7%			
77000	New Mexico Corrections Department	21.1%			
79000	Department of Public Safety	15.7%			
80500	Department of Transportation	18.9%			
92400	Public Education Department	28.8%			
	Statewide Vacancy Rate	**15.4%**			

Quality Assurance Activities

In FY12, QA activities were dedicated to improving the delivery of services. This included the development of reports to provide quality and reliable data to state agencies on the status of their agency to be in compliance with the rules and Act. As an oversight agency these reviews are comprised of organizational reviews, monitoring and analysis of personnel as well as position assignment transactions in accordance with SPB rules.

Training

SPO's Training and Development Division's (TD) mission is to provide statewide guidance and oversight for centralized leadership development and organizational learning. TD's overarching goal in FY13 is to build a statewide agency blueprint for succession planning through a core leadership curriculum: a multi – phased approach to career–long leadership development that prepares leaders continually and sequentially for higher levels of responsibility. The curriculum development will cover:

- the full spectrum of management, beginning with individual performance, and
- gradually expanding to broader organizational issues, and public policy.

TD is committed to the development of leaders dedicated to public service through learning that measurably transforms individual and organizations. The challenge presented is to build guideposts along the pathway to career and organizational success – The Leadership Journey.

Instructor – Led Core Curriculum Classes

TB is in process of expanding the design and delivery of practitioner–oriented professional development statewide instructor–led and ELearning course which are mandatory and statutory course blocks. These include:

- Managing Employee Performance (SPO Board Rules – Subsection A of 1.7.9.9 NMAC),
- Cultural Competency (State – Tribal Collaboration Act Senate Bill 196), and
- Domestic Violence, Sexual Assault and Stalking Workplace Awareness (EO 2008 – 047.)

Managing Employee Performance Using the Fundamentals of Supervision (MEP): The curriculum uses the foundation of theory and applies it to practical problems facing the manager, their agency / department, and the State

MEP course includes the following fundamental management development sections for public administrators who wish to learn both current management theory and useful techniques in order to improve their performance as managers in the public sector.

- Supervision and Leadership
- Transitioning to Supervisor
- Communication Tools for Supervisors
- Employee Evaluations
- Realigning Employee Performance
- Engaging Workplace Conflict
- Generational Differences in the Workplace
- Ethics in the Workplace

State employees trained in Managing Employee Performance in the 1st quarter of FY13: 517

The TDB also delivers other fundamental management development courses to assist in meeting the objectives of state agencies. The following courses form the core curriculum of our programs.

- Team Building/Communication
- Evaluations for Employees
- Communication/Conflict
- Management/Leadership
- Managing Conflict
- Communication
- Customer Service

E-Learning Mandatory Classes

1. **Ethics for New Mexico State Government Employees**: Ethics training assists state employees to understand and be accountable for the State's Code of Ethical Conduct issued by Governor Martinez's office, thereby increasing efficiency and efficacy of New Mexico State government. The online Ethics Training for State employees is a collaborative project with SPO Training and Development Bureau, the Training and Governance Council, and the New Mexico State University College of Business. It is scheduled for deployment, May 2013
2. **Civil Rights**: This course strives to make public servants aware of the ethical standards and social responsibility necessary to act humanely and responsively in an intergovernmental system. This block was deployed on September 21, 2012
3. **New Employee Orientation (NEO):** The NEO provides a broad introduction to state government for state employees who cannot attend for a face – to – face onboarding and is currently being revised to ensure consistent application. Throughout state government.
4. **Sexual Harassment Prevention / Violence in the Workplace Prevention:** The training curriculum and delivery program was developed by the New Mexico Domestic Violence Leadership Commission through Executive Order 2008 – 047.

All eLearning courses are available through an institutional learning management system (LMS) from Blackboard. SPO Blackboard allows state employees to access course materials and conduct course activities anywhere and anytime they can access World-Wide Web. SPO's Blackboard portal required set-up of modules and tabs as well as branding the site.

Additional Training

1. **SHARE HCM training:** The training offered to state employees who are either new or current users of the SHARE system is being revised. Subject Matter Experts (SME) conduct the SHARE HCM training. A major change is that access to SHARE HCM will not be allowed until the employee completes this training. Additionally, plans are being developed to provide recertification training every two years.

   State employees trained in SHARE HCM during the 1st quarter of FY13: 33

2. **Discipline & Adjudication training:** This training si offered to state employees in Discipline and Adjudication. SMEs conduct the Discipline and Adjudication training.

   State employees trained in Discipline and Adjudication during the 1st quarter of FY13: 42

Scheduling of all available training is located on the SPO Training and Development Bureau web page - http://www.spo.state.nm.us/Education__Training.aspx

Registration of all training is managed by the SPO Training and Development Bureau.

Adjudication

The Adjudication Bureau is responsible for conducting evidentiary hearings on appeals filed by classified state employees against whom disciplinary action (suspension, demotion or dismissal) has been taken. Following pre-hearing discovery and exchange of information, the Administrative Law Judge conducts an administrative hearing at which the state agency taking disciplinary action and the affected employee present evidence and arguments related to the disciplinary action. A majority of hearings are now conducted using video conferencing. Following the hearing, the Administrative Law Judge prepares a written Recommended Decision for consideration and final decision by the State Personnel Board.

Although the District Attorney's Association and the Department of Public Safety have their own personnel boards, employees of those agencies (excluding State Police Officers) may select the State Personnel Board to decide their appeals.

In addition, the State Personnel Board is charged with making findings on complaints filed against Workers' Compensation Judges and forwarding its finding to the Director of the Workers' Compensation Administration. The Adjudication Division conducts evidentiary hearings for the State Personnel Board for that purpose as well.

If a classified state employee is "separated" from their job as a result of injury or illness (on the job or off the job), the employee has the right to file an appeal and have a hearing on the issue of whether the employee was properly separated from employment.

Classified employees who are covered by a Collective Bargaining Agreement have the option of choosing an outside arbitrator to decide their appeals of disciplinary action. The Adjudication Bureau receives all requests for arbitration and provides notice to the employee, employer and union of the request for arbitration.

For Q1 FY13, the Adjudication Bureau received 40 appeals. For the Calendar Year to date (which is how appeals are docketed) 109 appeals have been filed (some of which include requests for arbitration which the Adjudication Bureau is no longer responsible for). It is unclear at this time whether another new record number of appeals will be filed. In Calendar Year 2011, a record 151 total appeals were filed.

Twenty five appeals reached final disposition in Q1 FY13 through State Personnel Board decisions, Alternative Dispute Resolution, other settlement, or dismissal. The SPO Alternative Dispute Resolution (ADR) program was founded in 2006 absent a staff or budget. For the past six years, SPO has relied on the volunteer services of qualified mediators to help settle disciplinary appeals and save the State of New Mexico hundreds of thousands of dollars in costs and employee time. Unfortunately (but understandably), mediators have become more reluctant to offer their services for no compensation and it has become increasingly difficult to staff requests for mediation. So long as the Adjudication Bureau must rely on volunteer mediators, the continued viability of the ADR program is at risk.

The Administrative Law Judges (ALJ) continue to rely primarily on videoconferencing to conduct hearings outside Santa Fe, although requests for alternative arrangements are considered on a case-by-case basis. The agency taking disciplinary action is typically directed to arrange videoconferencing between its Santa Fe office and the field office involved in taking disciplinary action. The ALJ conducts the hearing from Santa Fe, while the attorneys (and/or representatives) and witnesses typically appear at the remote location. The Adjudication Bureau has a relatively new hearing room (equipped with custom furniture) located at the SPO Office in Santa Fe, but the hearing room lacks videoconferencing capability.

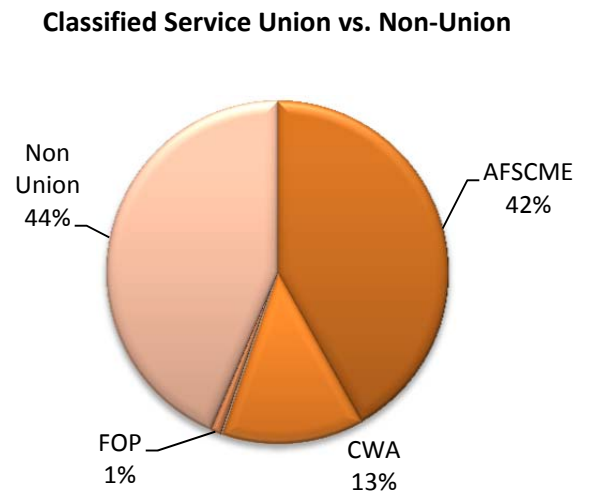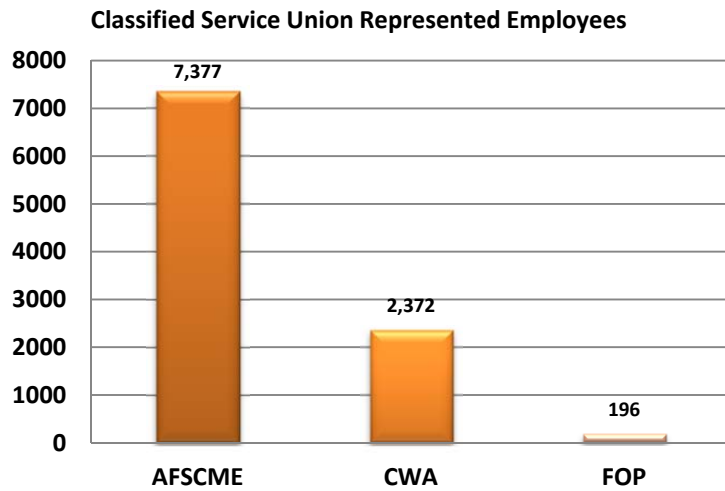| Status	July	August	September	FY13 1st Qtr. Total
SPO New Cases Filed 2012	14	12	14	40
ADR Request (Assigned)	0	0	1	1
ADR Resolved (Appeals)	0	0	0	0
Pending	44	49	54	147
Cases Carried Over	39	44	49	132
Total Case Disposition 2012	9	7	9	25
Disposition by Decision	4	1	0	5
Disposition Other (Dismissal, etc.)	5	6	9	20
Arbitration Cases Filed	1	1	Data Unavailable	2

Labor Relations

The primary initiative of the Labor Relations Bureau (LRB) is to partner with agencies and labor unions to help develop relationships and resolve grievance issues at the lowest possible level. Under the new administration the bureau has been supporting a seamless transition by evolving relationships both internally and externally while making modifications reflecting our new leadership and maintaining consistent application of three labor contracts.
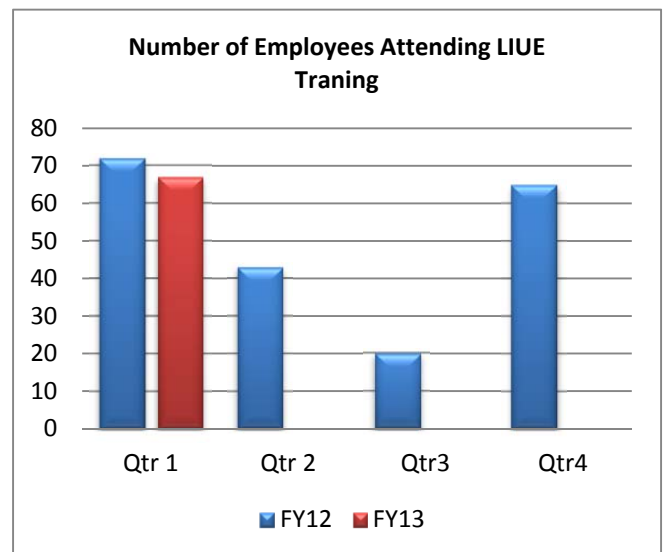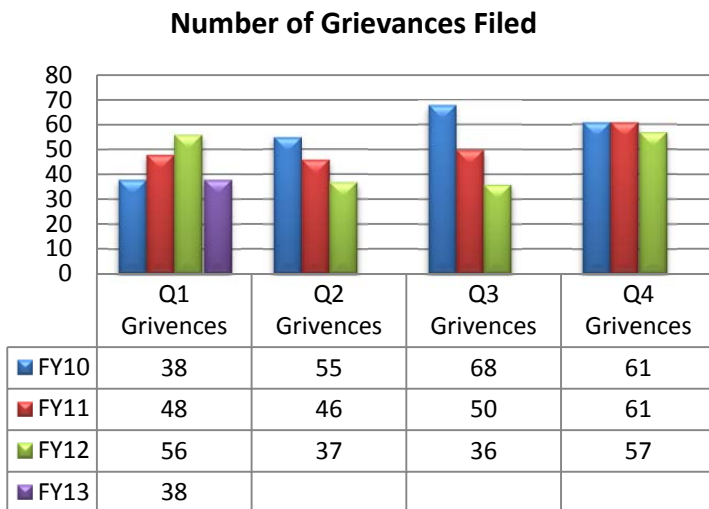
A total of 38 grievances were filed during Q1 FY13, 27 by AFSCME and 11 by CWA. Out of the total filed, six were settled, one was withdrawn, 16 expired and the remaining 15 are continuing through the grievance process. There were four Prohibited Practice Complaints filed during this quarter, all by AFSCME. There were six disciplinary appeals before an arbitrator invoked by the employee and/or represented by a union during the 1st quarter, five by AFSCME and five by CWA.

The LRB continues to support state supervisors and managers by facilitating labor related training. During the 1st quarter of FY13 the LRB conducted four Living in a Union Environment trainings. A total of 67 managers and supervisors attended these classes in Santa Fe and Albuquerque.
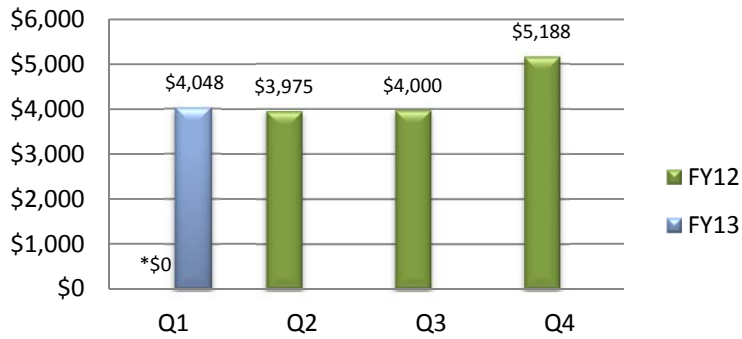
Union Represented vs. Non Union

Classified Service Union Represented Employees

Classified Service Union vs. Non-Union

Labor Relations Bureau Performance Measures

Number of Grievances Filed

	Q1 Grivences	Q2 Grivences	Q3 Grivences	Q4 Grivences
FY10	38	55	68	61
FY11	48	46	50	61
FY12	56	37	36	57
FY13	38			

Number of Employees Attending LIUE Traning

Average Cost Paid by the State for Arbitration

No cost have yet to go to hearing, settled, withdrawn

Number of disciplinary actions (union covered) positions appealing to arbitration rather than to SPB