



New Mexico State Personnel Board State Personnel Office

**SUSANA MARTINEZ
GOVERNOR**

Justin Najaka
Director

Nivia L. Thames
Deputy Director

State Personnel Board
Christine Romero, Chair
Dennis L. Garcia, Vice Chair

**State Personnel Board Meeting
State Personnel Office
2600 Cerrillos Road
Santa Fe, NM 87505
January 14, 2016
Minutes**

Megan Muirhead Jerry Manzagol

I. Procedural Items

Call to Order

The meeting of the State Personnel Board (SPB) was called to order by Chair Romero at approximately 9:00 a.m. on January 14, 2016 at the State Personnel Office (SPO), Santa Fe, New Mexico.

Invocation David Berry

Pledge of Allegiance Michael McEuen

Roll Call

Director Justin Najaka called roll and a quorum was established with the following members present:

Christine Romero, Chair
Dennis L. Garcia, Vice Chair
Megan Muirhead, Board Member
Jerry Manzagol, Board Member

Approval of Agenda

Vice Chair Garcia moved to approve the January 14, 2016 agenda; seconded by Board Member Muirhead. Motion carried.

Approval of Minutes – December 3, 2015

Board Member Muirhead moved to approve the December 3, 2015 State Personnel Board meeting minutes; seconded by Vice Chair Garcia. Motion carried.

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II. Director's Report

Director Najaka provided the following:

1) SPO Staff Update

Andrea Rivera-Smith, Bureau Chief, Career Services, introduced Charlene Gannon, Training Specialist, Training Division. Ms. Gannon has ten years of training and management experience with the Starbucks Corporation. Director Najaka informed the Board that there are vacant SPO positions in the hiring process.

2) House Appropriations and Finance Committee (HAFC) Presentation

On Tuesday, January 12, 2016, SPO presented its agency's budget to the HAFC advising there is slight difference between the LFC and Executive recommendations. SPO requested the following expansion positions - a Paralegal and a Program Manager. The LFC recommendation did not include these two positions. The LFC's focus this session is budgets and Director Najaka advised expansion position requests from agencies were not recommend.

The Digitization Project was mentioned to the Committee advising this is included in DoIT's IT Master budget request with the Executive recommending \$900.0 and the LFC recommending \$500.0.

Thomas Clifford, Cabinet Secretary, DFA, and David Abbey, LFC Director, appeared before the Senate Finance Committee to outline the status of the State's budget.

III. General Public Comment

No public comment.

IV. Election of Officers

Director Najaka informed the Board that Election of Officers, Open Meetings Resolution and Operating Board Procedures must be approved by the SPB in January or at the first meeting of the calendar year.

Director Najaka presented the request for the Election of State Personnel Board Officers.

Board Member Muirhead nominated Vice Chair Dennis Garcia to continue serving as Vice Chair of the New Mexico State Personnel Board for 2016; seconded by Board Member Manzagol. Motion carried.

Board Member Muirhead nominated Chair Christine Romero to continue serving as Chair of the State Personnel Board for 2016; seconded by Vice Chair Garcia. Motion carried.



V. State Personnel Board Annual Open Meetings Resolution

Director Najaka presented the request for approval of the State Personnel Board Annual Open Meetings Resolution.

Vice Chair Garcia moved to approve the State Personnel Board Annual Open Meetings Resolution; seconded by Board Member Manzagol. Motion carried.

VI. State Personnel Board Operating Procedures

Director Najaka presented the request to approve the State Personnel Board Operating Procedures.

Board Member Muirhead moved to approve State Personnel Board Operating Procedures; seconded by Board Member Manzagol. Motion carried.

VII. January 2016 Out of Cycle Review and approval of Safety Sensitive and Omnibus

Alicia Lucero, Quality Assurance Auditor, presented the request for review and approval of Out of Cycle Requests for additions and deletions of Safety Sensitive Designated positions. In the original packet, the Department of Public Safety (DPS), Department of Health (DOH) and Energy and Minerals and Natural Resources Department (EMNRD) requested the removal of the designation of safety sensitive positions. These are positions that have been reclassified to different classification with tasks that no longer require a designation, or positions that have been inactivated and are no longer in use by respective agency. On January 12, 2016, EMNRD rescinded its request. Nineteen (19) are the total positions that will be removed. In addition, the DOH is requesting the addition of three (3) positions be added to the designation of safety sensitive positions. Therefore, the revised total Safety Sensitive designated positions are 4,344. The total Omnibus designated positions are 1,102. Positions designated as both Safety Sensitive and Omnibus total 31. Therefore, New Mexico State government maintains a total of 5,477 Safety Sensitive and Omnibus designated positions.

Vice Chair Garcia moved to approve the addition and deletion of Safety Sensitive Designated positions; seconded by Board Member Manzagol. Motion carried.

VIII. Program Coordinator Classifications and Pay Bands

Cliff McNary, State Classification and Testing Manager, presented the request for approval of the Program Coordinator Classification and Pay Bands. Mr. McNary stated this classification is a departure from previous classifications, of this size, that are classified as managers and supervisors. This classification does not have the requirement, based on SPB Rules, that the position manage, at least two employees. It was determined there would be two levels of the Program Coordinator classification. The Program Coordinator I is identified as a singular program responsibility whereas the Program Coordinator II is a



higher level multi program level of responsibility. The Program Coordinator I and II were not created as a promotional step relationship. Smaller agencies may have the Program Coordinator I level whereas larger agencies may have the Program Coordinator II level that would be of a more complex nature. A notice was placed on this classification description that reads as follows: "When submitting a personnel action to use this classification, agencies must also submit a proposal that outlines 1) the goals and objectives of the program; 2) current and historical budget and spending data; 3) the target population to be served; 4) the number of persons served annually; 5) any historical outcome data that demonstrate effectiveness, and 6) the results of any audits of the program." This was done in order to ensure the classification is used correctly.

Vice Chair Garcia questioned the difference of one (1) year experience between the Program Coordinator I and II. Vice Chair Garcia believes there does not appear to be a clear distinction in the years of experience between the two levels in this classification and would like to see a two year difference in experience between the two levels. Mr. McNary said because of the uniqueness of the position the employee must understand the distinction in the position from a Program Coordinator I to a Program Coordinator II. Mr. McNary said the Compensation and Classification Bureau could reevaluate the difference in years of experience and bring the information to the Board. Board Member Muirhead asked for an example of how this classification would be implemented within an agency. Mr. McNary advised if an agency has a program that fits the criteria listed on the classification description, the agency look at this particular classification and consider reclassifying the current incumbent. Director Najaka clarified it would help define managers currently in Program Coordinator positions and move them into the correct classification.

Board Member Manzagol asked if waiting on a vote until the next meeting would delay the usage of the classification. Director Najaka stated the Department of Workforce Solutions is anxious to utilize this classification. Mr. McNary informed the Board that the Compensation and Classification Bureau will make a two year separation in experience between the Program Coordinator I and II. Vice Chair Garcia asked if the Program Coordinator Classifications were approved as presented today, could the Compensation and Classification Bureau make the necessary corrections to the classification with respect to the years of experience. As requested, the Compensation and Classification Bureau will provide a report to the Board in six months advising how the classifications have been utilized by agencies.

Vice Chair Garcia moved to approve the Program Coordinator Classification and Pay Band with the understanding that the minimum qualifications for years of experience for the Program Coordinator I be changed to three years to reflect a two year separation between the Program Coordinator I and II and the results are presented to the Board in six months; seconded by Board Member Muirhead. Motion carried.

IX. Appraisers and Assessors of Real Estate Supervisor Classification and Pay Band

Cliff McNary, State Classification and Testing Manager, presented the request for approval of the Appraisers and Assessors of Real Estate Supervisor Classification and Pay Band. Mr. McNary introduced Gilbert Archuleta and Ron Noedel from the New Mexico Department of Transportation (NMDOT). Ron Noedel, Right of Way Manager, stated that the Right of Way



Bureau is responsible for the power of imminent domain in all NMDOT construction projects through the State of New Mexico. The Right of Way Bureau is regulated by the court of federal regulations to appraise these properties. A real estate appraisal by a state certified appraiser is required and having an Appraiser and Assessor of Real Estate Supervisor Classification would assist the agency in guiding the appraisers when appraising properties in New Mexico.

Board Member Manzagol moved to approve the Appraisers and Assessors of Real Estate Supervisor Classification and Pay Band; seconded by Vice Chair Garcia. Motion carried.

X. Litigation Update – Jessica Cooper, Administrative Law Judge, Adjudication Bureau

In calendar year 2015, the Adjudication Bureau received 85 appeals and disposed of 88. As of today, there are 36 appeals pending and no dispositive actions in the 12 existing District Court appeals.

XI. Other Business – Next Meeting Date: March 24, 2016

XII. Adjournment

With no further business, **Vice Chair Garcia moved to adjourn the State Personnel Board meeting at approximately 10:03 a.m.; seconded by Board Member Muirhead. Motion carried.**

Approved by:



**Chair Christine Romero
State Personnel Board**

Attest:



Justin Najaka, Director



