



New Mexico State Personnel Board State Personnel Office

SUSANA MARTINEZ
GOVERNOR

State Personnel Board
Christine B. Romero, Chair

Justin Najaka
Director

Nivia L. Thames
Deputy Director

**State Personnel Board Meeting
State Personnel Office
2600 Cerrillos Road
Santa Fe, NM 87505
August 24, 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 August 24, 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 B. Romero, Chair
Megan Muirhead, Board Member
Jerry Manzagol, Board Member

Approval of Agenda

Board Member Muirhead moved to approve the August 24, 2016 Agenda; seconded by Board Member Manzagol. Motion carried.

Approval of Minutes – July 21, 2016

Board Member Muirhead moved to approve the July 21, 2016 State Personnel Board meeting minutes; seconded by Board Member Manzagol. Motion carried.

2600 Cerrillos Road, Santa Fe, New Mexico, 87505 (505) 476-7759

II. Director

Director Najaka provided the following updates:

1) SPB Counsel Introduction

Director Najaka introduced Ms. Lori Chavez representative from the Attorney General's Office who will serve as Counsel to the State Personnel Board.

2) Staff Update

Director Najaka introduced new SPO staff to the Board:

Zach Boatman hired as a Trainer in the Training Division and was an educator for twenty five years and Susan Garcia hired as a Human Resources Consultant in the Shared Services Division with nineteen years HR experience with the State.

Three employees will be leaving SPO:

Jennifer Vigil, HC Hawkins and Mario Lechuga have accepted positions with other State agencies.

3) LFC Hearings

Director Najaka will appear before the LFC on August 25, 2016 in Red River to present on Statewide Classified Compensation.

4) Shared Services Division

Shared Services Division entered into an MOU with the Crime Victims Reparation Commission (CVRC) to assist the agency with HR functions.

5) Budget Cuts

The Governor's Office has directed all classified agencies to cut current year (FY17) budgets by 5%.

II. General Public Comment

No one signed up for General Public Comment

III. Department of Cultural Affairs (DCA) Reduction in Force (RIF) Update

Maggie Samuel, SPO Consultant, Agency HR Services and Deputy Cabinet Secretary, Michael Delello gave the Board an update concerning the DCA RIF. The RIF was approved at the July 21, 2016 SPB meeting and Chair Romero requested an update. DCA and SPO have been working closing with the eleven affected classified employees. As of August 24, 2016, 3



employees have not yet been placed in positions within State government. SPO Career Services representative Summer Valdez is continuing to work closely with the 3 employees to identify potential job opportunities that they may qualify for. As of August 12, 2016, three other employees tendered their resignations via retirement effective July 30, 2016 and one employee accepted an equal position within DCA, however, this employee withdrew his acceptance with DCA and accepted a position out of state. Four employees have exercised their RIF first-right-of-refusal rights and took lower level positions within the agency with a reduction in pay. All have been placed in their positions effective August 13, 2016. Ms. Valdez addressed the Board advising she has been in contact with the employees to inform them of positions they may qualify for. Deputy Secretary Delello thanked the SPO and DCA HR staff for their assistance in the transition of all employees affected by the RIF.

IV. State Personnel FY18 Appropriation Request

Stuart Hamilton, Chief Financial Officer, presented the request for the State Personnel FY18 Appropriation Request. State Personnel's FY17 budget has been reduced by 5% with the greatest impact affecting Personal Services and Benefits. The 5% impact will be made up by vacancies. Current vacancy rate is at 20%. The FY18 Operating Budget Request is \$4,411,000. Ninety-five percent (95%) of SPO's Operating Budget appropriation comes from the General Fund with other monies received from approved MOU's that agencies have entered into with SPO Shared Services and these monies are also General Fund.

Board Member Manzagol asked if the agencies under MOU's fall under the State Personnel Act and Director Najaka stated that they do.

Board Member Manzagol moved to approve the SPO FY18 Appropriation Request; seconded by Board Member Muirhead; Motion carried.

V. Executive Session

Board Member Moorhead moved that the State Personnel Board meeting be closed. The authority for closing the meeting is under the Open Meetings Act NMSA 1978, Section 10-15-1(H) (3), for deliberations in connection with an administrative adjudicatory proceeding, for the matters listed on the agenda; second by Board Member Manage. Director Najaka called roll and all members voted in the affirmative. Motion carried.

The Board met in Executive Session from approximately 9:25 a.m. to 9:34 a.m. For the record, the matters discussed in closed session were limited to those specified below in the Motion to close.

1. *Kicklighter v. Law Offices of the Public Defenders*; Docket No. 15-038-PD

- **After careful consideration of the proceedings and the Administrative Law Judges' recommendations in *Kicklighter v. Law Offices of the Public Defenders*; Docket No. 15-038-PD, the Board moves to adopt the Administrative Law Judges' recommended decision in *Kicklighter v. Law Offices of the Public Defenders*; Docket No. 15-038-PD; Board Member**



Manzagol moved to approve. Motion seconded by Board Member Muirhead. Motion carried.

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


In the last month, the Adjudication Division received 2 new appeals and disposed of 6. As of August 24, 2016, there are 33 appeals pending. There is no dispositive action to report in the 7 district court appeals.

Director Najaka informed the Board that an agency has requested a Special Board Meeting to be held in September to request a Reduction in Force. The Board agreed to hold a special meeting on September 20, 2016 at 9 am.

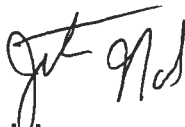
Board Member Manzagol moved to approve the request to hold a SPB Special Meeting on Tuesday September 20, 2016 at 9:00 a.m.; seconded by Board Member Manzagol; Motion carried.

VII. Adjournment

With no further business, **Board Member Manzagol moved to adjourn the State Personnel Board meeting at approximately 9:40 a.m.; seconded by Board Member Muirhead. Motion carried.**

Approved by:

Christine B. Romero
Chair
State Personnel Board

Attest:



**Justin Najaka
Director**

