



New Mexico State Personnel Board

State Personnel Office

Michelle Lujan Grisham
Governor

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

Ricky A. Serna
Acting Director

State Personnel Board Meeting

State Personnel Office

Electronic/Telephonic Meeting via ZOOM

Friday, March 12, 2021

MINUTES

I. Procedural Items

- Call to Order – Chair Romero called the meeting to order at 9:00 am
- Pledge of Allegiance – Acting Director Serna lead the pledge and asked for a moment of silence for those lost to the pandemic.
- Roll Call - Acting Director Serna conducted roll call, all board members present, and a quorum established. Chair Romero welcomed Acting Director Serna, AAG Valerie Joe and outside board counsel, Michael Heitz, present for the Executive Session.
- Call for Public Comment A poll was launched for those on their computer and verbal poll taken for those on their phones. No public comment was requested.
- Audio meeting protocols read by Chair Romero.
- Approval of Agenda – Chair Romero asked for a motion to approve the agenda. Motion made by member Manzagol; Vice Chair Liswood second; roll call; agenda adopted unanimously.
- Approval of Minutes from board meeting of January 22, 2021. Motion to accept the minutes as written made by Vice Chair Liswood; member Manzagol second; roll call taken and minutes from January 22, 2021 meeting adopted unanimously.

II. General Public Comment - No public comment was requested.

III. Acting Director's Report – Chair Romero welcomed Acting Director Serna who gave the following inaugural report:

Acting Director Transition

- Acting Director Serna began by thanking the SPO staff for their support in helping to make the transition as smooth as it has been. He then thanked Pam Coleman for her tremendous transitional support as well.
- Division discussions took place over the first two weeks
 - Managers provided overview of department priorities and ongoing activities
- Reviewing data available to the department

Strategic Planning

- Building on past work, divisions are in the process of drafting strategic plans
- For months, the agency had worked on the strategic plan for SPO. High level plans are moving forward within each division. Looking at first drafts.
- Building on vision, mission and focus areas.
- Plans shall include strategic objectives, performance measures and identifying resources

Staffing priorities

- Completed hire for trainer and ALJ
- Cross-training existing staff for procurement support
- DB Admin – in process
- Comp and Class – in process
- Training Manager – in process

Eforms project is moving forward in partnership with DoIT

- Focus on CARF and PARF submission/approval process for all agencies
- DoIT is finalizing contract scope of work for that project
- Internal SPO resources/team has been identified
- Estimated three-month project before the work is completed

Expanding use of ELM platform for trainings

- Working with DoIT to expand onboarding to various agencies using training on SHARE platform
- Focus on agencies with training teams or training modification needs to standardized training. Consistency of training quality used for this platform. Will be able to track those who use this platform and training courses.
- Presentation to Trainers Unite was positive – they are supportive and excited for this use lending itself to modify training to include different languages, format for use by Commission for the blind as well as for hearing impaired.
- Driven in part by legislation – adding depth to our training capacity.

Legislative Updates

- SB230 – Senator Lopez and now Senator Pinto: Calls for policy and training development aimed at eliminating institutional racism across the state. Now includes language on cultural competence and NM cultural awareness training. The bill evolved to include language from SB245 in order to streamline the process for these key areas
- HB300 – Representative Stansbury: Calls for SPO to develop a successive leadership training pilot. Includes \$75,000 appropriation and has made its way off the house floor.

Outreach with Agencies

- Workforce Planning team continues to meet with agencies that are seeing an increased need for actions.
 - Reduce turnaround time for actions; especially where agency have vacancy rates above the average.
 - DOT training to streamline action approvals; Pilot program at present
 - Troubleshooting through actions checklist
 - Implementation of action checklist and follow up form
- Sustaining strong communications with DFA
- Goal is to reduce vacancy rates

ELM Onboarding

- Exploring the implementation of a virtual onboarding module within SHARE
 - Minimizes need for in-person interactions for hiring paperwork; working with a small group of HR Managers to test this onboarding process.

Telework Update

- No date yet on when state employees will be asked to return to work
- Working to identify # of employees assigned by county as it relates to the Red to Turquoise measure
- SPO working on guidance for agencies with things such as employee screening, using web-based tools. We are not yet at that point; we are having internal discussions about how that would look when that time arrives.

I Stand for questions.

Vice Chair Liswood applauded the affirmative efforts in training. Can you elaborate on measurements and objectives relative to DEI and what might be included with onboarding relative to inclusion?

Acting Director stated that the team has begun the process creating framework for the training. We anticipate we will be tasked with developing policies around institutional racism from recruitment, vetting applicants, screening committee development. The posting for the Training manager position will include language that includes preference for an individual with that background and help to develop all material including leadership; inclusivity; moving away from a notion that there are check boxes to start to build an inclusive culture within agencies. This goes hand in hand with leadership. When we meet to review those plans; we are intentional in incorporating those items.

Chair Romero mentioned there is a lot of discussion about asking employees to take a vaccine; are we in line on herd immunity before coming back? Is there a heightened requirement for the COVID vaccine? Acting Director Serna stated those questions have already come up. We are looking at what extent requirements are laid out; we are identifying the questions and he and General Counsel, Jessica Cooper have started to research things that need to be put in place; especially around the preference of employees waiting to be vaccinated before returning to work. Ensure as a community

that demonstrating low spread rates; when they are in the office, exercising safe practices; we are working to get ahead of these questions.

Chair Romero appreciates that we are planning in this way. HR community has a lot of additional burdens; change in FMLA; sick leave; child-care. All those things that were not an issue before are now issues up front.

- IV. Fiscal Audit Report FY20 – Chair Romero invited Mr. Hamilton, CFO to present the report. Mr. Hamilton thanked SPO team of Melinda Salazar and Oksana Klapischak for their help in getting information needed for the report, as well as former director, Pam Coleman for her leadership. Mr. Hamilton then introduced Yasmeeen Jalil, audit manager and Jaime Rumbaoa, audit partner. Ms. Jalil shared screen of report and focused on key pages. She stated this was a remote audit and thanked payroll department and Stuart Hamilton for their support. This is Axiom's 4th year of doing the SPO audit. Mr. Rumbaoa thanked Stuart Hamilton, Pam Coleman and staff. Presentation included key points and announced a clean audit.
- Mr. Hamilton commented that computer scammers are getting more and more inventive. He reported about a scam this year where employees received an email from what looked official stating the employee needed to changing their direct deposit account. This impacted a SPO employee who followed the instructions and the paycheck went in to the scammers account. DFA and SPO conducted an investigation. DFA ultimately retrieved the money that affected SPO employee and the employee received their pay. Division Director, Leane Madrid, stated that internal controls are now in place for that type of suspicious activity.
- Vice Chair Liswood thanked the team for the report and asked if they were a member of the board, would there be any information that needs to be flagged or that the board need to be aware of?
- Mr. Hamilton stated, no, not in this audit. In his experience, findings are things that need to be fixed, good to find things that need attention; we do a very good job with our records. He stated that right now, it is him and the Director only, we have a close-knit shop and are very careful about transactions and paperwork. Clean opinion, nothing in audit that requires in-depth analysis. Mr. Hamilton thanked Axiom and said they are reliable and do their job.
- Chair Romero thanked Mr. Hamilton and stated that the clean audits that SPO receives is not the norm and she really appreciates that we are consistent in getting a "no findings" report. Excellent report.
- V. Executive Session - Chair Romero moved for the board to move to close session; second by member Manzagol; roll call; motion carries unanimously. AAG, Valerie Joe recused herself due to conflict of interest with the case being discussed in Executive Session. Time is 9:46 am and we are now off the record.

Chair Romero announced General Session is open and the board is back on the record at 10:07 a.m. The Board discussion was limited to the matter on the agenda and she would entertain motion in Landau matter. Vice Chair Liswood read the motion into the record: This matter came before the New Mexico State Personnel Board (the "Board") on March 12, 2021, based upon Appellant Lawrence Otero's Motion to Enforce the Board's Final Decision Ordering Reinstatement, filed February 4, 2021 ("Motion"); Appellee New Mexico Attorney General's Office Response in Opposition to Appellant Lawrence Otero's Motion to Enforce Final Decision, filed February 16, 2021; and Appellant's Reply in Support of Appellant Lawrence Otero's Motion to Enforce the Board's Final Decision Ordering Reinstatement, filed February 23, 2021. Having reviewed the parties' pleadings and arguments, and being otherwise fully advised in the premises, the Board finds:

1. Appellant Otero has cited no authority that the Board can grant the relief requested.
2. Appellant Otero's Motion is not well-taken.

APPELLANT OTERO'S MOTION IS, THEREFORE, DENIED.

Member Manzagol second. Roll call – motion to deny carried unanimously.

VI. Adjudication Litigation Update – Janelle Haught gave the following report:

In the past four months (November, December, January and February), Adjudication received seven new appeals and disposed of six. There are currently 50 appeals pending.

I Stand for Questions. Being no questions, Chair Romero thanked Ms. Haught.

VII. Other Business -

Next Meeting Date: Friday, April 30, 2021

Adjournment

Motion to adjourn made by member Manzagol. Vice Chair Liswood second. Acting Director Serna roll call; adjourned at 10:10 am.

Approved by:



**Christine B. Romero, Chair
State Personnel Board**

Attest:



**Ricky A. Serna
Acting Director**