



New Mexico State Personnel Board

State Personnel Office

Michelle Lujan Grisham
Governor

Ricky Serna
Acting Director

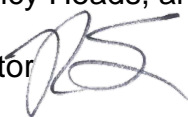
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General Memorandum 2022-002 (Updated)

Date: May 11, 2022

To: Cabinet Secretaries, Agency Heads, and HR Managers

From: Ricky Serna, Acting Director 

Subject: Emergency Extended Administrative Leave for State Employees Adversely Affected by Wildfires or on Volunteer Firefighter Duty

I. Purpose

In consultation with the Governor's office and pursuant to State Personnel Board Rule 1.7.7.14(A) NMAC, the State Personnel Office Director is hereby authorizing executive agencies to grant administrative leave with pay for up to 20 consecutive workdays to State employees 1) adversely affected by, or 2) working as volunteer firefighters to combat, the Spring 2022 wildfires in San Miguel, Valencia, Colfax, Lincoln, and Mora Counties ("Emergency Extended Administrative Leave"). The goal is to provide assistance and minimize stress and financial harm to State employees in these categories until the situation becomes stabilized.

II. Background

On April 22, 2022, Governor Michelle Lujan Grisham issued Executive Order 2022-017, declaring a state of emergency to exist in San Miguel County due to the Hermit's Peak Fire that began as a prescribed burn on Wednesday, April 6, 2022.

On April 22, 2022, the Governor issued Executive Order 2022-018, declaring a state of emergency to exist in Valencia County due to the Big Hole Fire that began on Monday, April 11, 2022.

On April 22, 2022, the Governor issued Executive Order 2022-019, declaring a state of emergency to exist in Colfax County due to the Cooks Peak Fire that began on Wednesday, April 20, 2022.

On April 22, 2022, the Governor issued Executive Order 2022-020, declaring a state of emergency to exist in Lincoln County due to the fire event that began there on Tuesday, April 12, 2022.

On April 23, 2022, the Governor issued Executive Order 2022-021, declaring a state of emergency to exist in Mora County due to the Cooks and Calf Fires that began on Sunday, April 17, 2022, and Tuesday, April 19, 2022, respectively.

The identified wildfires in San Miguel, Valencia, Colfax, Lincoln, and Mora Counties are hereinafter collectively referred to as the “Spring 2022 Wildfires.”

State Personnel Board Rule 1.7.7.14 NMAC provides:

A. An agency may authorize leave with pay for up to five consecutive workdays when it is in the best interests of the agency to do so. Administrative leave in excess of five consecutive workdays must have the prior written approval of the director except for administrative leave granted in accordance with the provisions of Paragraph (2) of Subsection B of 1.7.8.19 NMAC or Paragraph (2) of Subsection D of 1.7.8.19 NMAC or 1.7.11.12 NMAC.

III. Definitions

“Adversely affected” means the Spring 2022 Wildfires have caused severe hardship to the employee or to a family member of the employee that requires the employee to be absent from work. Severe hardship includes, without limitation, evacuation orders or other displacement from home or the telework site, evacuation orders or other displacement from the normal in-person worksite, or a disruption to normal transportation services or traffic routes to the worksite.

“Volunteer firefighter” means an employee who is a member of a New Mexico volunteer fire department and is reporting to a call or being deployed for volunteer firefighter duty to help combat the Spring 2022 Wildfires.

IV. Guidelines

- A. Employees shall submit requests for Emergency Extended Administrative Leave to agency Human Resources in writing, together with a written explanation of how they have been adversely affected or documentation verifying their volunteer firefighter status and duty, as applicable.
- B. Upon determination that an employee has been adversely affected or is providing volunteer firefighter services, a grant of Emergency Extended Administrative Leave shall be issued to the employee in writing, signed by the Cabinet Secretary or Agency Head or designee.
- C. Employees granted and utilizing Emergency Extended Administrative Leave shall enter time as “99 ADMLV” and insert “**Emergency Extended Administrative Leave -- Spring 2022 Wildfires**” into the SHARE timesheet comments.
- D. Under no circumstances shall leave taken as a result of the Spring 2022 Wildfires be entered into SHARE as inclement weather or office closure.
- E. Employees on a hybrid telework arrangement and able to work from home, but unable to work at their normal in-person worksite as a result of the Spring 2022 Wildfires, shall continue to telework. Pursuant to the Non-Mandatory Telework Policy, employees’ non-mandatory telework arrangements can be temporarily modified to increase the number of days of telework if it is in the best interests of the agency. Employees shall be given advance notice of any telework arrangement modification as possible under the circumstances.
- F. Employees not on a telework arrangement and able to work from home, but unable to work at their normal in-person worksite as a result of the Spring 2022 Wildfires, may be temporarily placed on a telework arrangement pursuant to the Telework During Emergencies Policy, if such a telework arrangement is determined to be suitable.