



NEW MEXICO
STATE PERSONNEL OFFICE

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Repeal Memorandum

To: Cabinet Secretaries, Agency Directors, and Human Resource Managers

From: L. Teresa Padilla, Director

Date: September 23, 2022

Subject: Repeal of Interpretive Memorandum 2014-001

In an effort to consolidate State Personnel Office Interpretive Memoranda pertaining to State Personnel Board Rule 1.7.1.12(A) NMAC, Employment Records, State Personnel Office Interpretive Memorandum 2014-001 is hereby repealed. (See attached.)

Please consult State Personnel Office Interpretive Memorandum 2022-001 for current guidelines on employment records and personnel file retention, transfer, and file review.

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New Mexico State Personnel Board

State Personnel Office

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Interpretive Memorandum 2014 - 001

Date: August 15, 2014
To: Cabinet Secretaries, Agency Heads, and Agency Human Resource Managers
From: Justin Najaka, Interim Director, State Personnel Office
Subject: Inter-Agency Personnel Records Reviews

REPEALED

1. Purpose

This shall serve to interpret the application of State Personnel Board (SPB) Rules and Regulations of the New Mexico Administrative Code (NMAC) for compliance with agency employment records. This interpretative memorandum is applicable for all state classified employee personnel records.

2. Background

The SPB Rules require that employment-related confidential records "shall be available for inspection by agencies during the process of interviewing for employment when the employee has provided a signed release."² It has come to the State Personnel Office's (SPO) attention that some agencies are sending each other questionnaires regarding the contents of employees' personnel files, in lieu of conducting an actual physical review of the employee's personnel file.

¹ NMAC 1.7.1.12.

² *Id.*

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3. Guidelines

Agency Human Resources Managers should not send out questionnaires regarding the contents of an employee's personnel file.

Agency Human Resources Managers should always conduct in-person reviews of employee personnel files.

REPEALED