



New Mexico State Personnel Board

State Personnel Office

Michelle Lujan Grisham
Governor

Pamela D. Coleman
Director

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

State Personnel Board Meeting
State Personnel Office
Electronic/Telephonic Meeting via ZOOM
Friday, July 17, 2020

MINUTES

- I. Procedural Items
 - Call to Order – Chair Romero called the meeting of the State Personnel Office Board to order at 9:03 a.m.
 - Pledge of Allegiance – offered by Director Coleman
 - Moment of Silence - Director Coleman called for a moment of silence
 - Roll Call - Director Coleman called roll; Chair Romero – present; Vice Chair Liswood – present; Member Manzagol – present and Member Chavez – present; all members present - a quorum was established. Also attending – AAG Miguel Lozano and Denise Forlizzi, Board Administrator.
 - Call for Public Comment - Prakash Bhakta, CIO for State Personnel took a poll of all in attendance asking if anyone would be making a public comment. There were no requests for public comment.
 - Approval of Agenda – Chair Romero stated she has reviewed the agenda of items for the meeting and asked for a motion to approve. Member Manzagol made the motion and Member Chavez second; Director Coleman polled all members individually; motion carried unanimously
 - Approval of Minutes from June 5, 2020 - Chair Romero stated she read the minutes from the June 5, 2020 meeting and asked for a motion to approve the minutes as written; Vice Chair Liswood made the motion; Member Manzagol second. Director Coleman polled all members individually; motion carried unanimously.
- II. General Public Comment – No public comment requested

III. Director's Report

Director Coleman reported the following:

- Thank you Chair and to Board for your continued support and to the State Personnel staff and to the Community of HR Professionals, many of whom are appearing here via Zoom today
- This is now our THIRD Zoom meeting. Thank you to our Board for seamlessly making this on-line environment "normal." A continued thank you to Prakash Bhakta, Drew Lovelace and Denise Forlizzi, for helping to orchestrate this electronic meeting. State office buildings remain closed and most State employees continue to telework or work from home. Our entire State Personnel staff continues to telework,
- Joining us today are Nicole Macias from DFA, Connor Jorgensen from LFC, and Cisco McSorley from APB
- Public School updates:
 - The Santa Fe Public Schools announced that students will tele-learn for at least the first 9 weeks of class.
 - Las Cruces Public Schools made a similar announcement earlier this week.
 - ABQ Public School students will learn from home for the first 4 weeks and then move into a hybrid model of in-classroom and home learning.
- The economic implications of the coronavirus necessitated a special legislative session from Thursday, June 18 through Monday, June 22.
 - As you will hear from our CFO Stuart Hamilton shortly, in combination with other cuts, State agency budgets were reduced by 4%
 - In addition, the 4% across the board salary increase slated for State employees was eliminated.
 - The Legislature approved and the Governor signed into law a 1% salary increase for employees earning less than \$50K
 - A planned increase to contributions for employee benefits was eliminated
- It was announced yesterday that the State faces a \$991M deficit in FY22 and that lawmakers are proposing cutting spending by 5% in state agencies.
- We are in budget prep for FY22 now.
- We continue to manage the process for Paid COVID Leave and Emergency FML consistent with the Families First Coronavirus Response Act.
- The freeze on hiring and personnel actions except in limited circumstances, announced on April 21, continues. We continue to manage that process working closely with our partners at DFA.
- As I announced during our last Board meeting, our Training Team is developing an anti-institutional racism course for all State employees.
- In addition, our Training Team has revamped our Managing Employee Performance course that will be available as an on-line course in addition to a live Zoom course.
- As I announced during our last meeting, our first-ever NM State Government Employee Engagement Survey was sent to all executive branch classified employees.
 - This confidential survey is an important way for staff to provide feedback about working for the State. It also asked questions specifically about working during the public health emergency and about experience teleworking.
 - All Agency Heads and Deputies were provided access to their agency results in an easy-to-use Dashboard and we are also reviewing the results in order to best provide recommendations for helping to inform a collective path for a successful future

- As I reported in our last meeting, I am now the not-so-new Chair of the Statewide Complete Count Commission for the 2020 Census which is a big commitment and I want to again thank the entire State Personnel team and HR community for their support.
- Earlier this week, the DoIT Rate Committee met – Chaired by DFA, Debbie Romero presentation by Secretary Salazar. Also on the committee are secretaries of DOT, ENMRD, DCA, GSD. We voted to approve new rates. All agencies should see a decrease in rates they pay to DoIT going forward.
- Union Negotiations remain on pause. Sandy is actively engaged with both unions.
- As previously announced, for the 2nd year, we have an intern from the Harvard Institute of Politics on our team. Welcome Jasmine Parmley who joins us remotely from her home in Lincoln, NE.
- Stand for Questions - No questions for Director Coleman

IV. FY21 Revised Budget

Stuart Hamilton, CFO for State Personnel Office reported on the FY21 revised budget. State Personnel Board's approved FY21 budget of \$4,295,300 was updated after a \$263,400 (6%) reduction was assigned. \$254K of that was a General Fund reduction. In addition, the special appropriation of \$2.5M improvements for the accounting/reporting system was reversed.
Stand for questions – there were no questions.

V. Out of Cycle Safety Sensitive Review CYFD

Max Cordova, SPO HR Process Analyst, presented the CYFD Out of cycle request. Lisa Fitting, CYFD Director of Operations was in attendance on Zoom. In accordance with Subsection D. of 1.7.8.9 NMAC, Designation of Safety-Sensitive Positions, the State Personnel Board shall review and approve out-of-cycle requests for additions and deletions of Safety Sensitive designated positions. Children, Youth and Families Department (CYFD) is in the process of changing the duties of one (1) position and reclassifying four (4) positions with these changes the positions will no longer require the Safety Sensitive Designation. CYFD is requesting SPB approval to remove the designation of Safety Sensitive for a total of five (5) positions. Upon review and analysis of this request, I concur and recommend SPB approval of the out-of-cycle removal of the Safety Sensitive Designation.

Stand for questions – Member Chavez asked if the job duties are changing? 4 job changes – Security code change with new job change

Lisa Fitting – CYFD Bureau for youth housing/service clarified that CYFD had identified a cohort of young people once they age out of the foster system. First 2 members are being reclass. 3 other initiatives that positions will be filled that are vacant currently. Not anticipating filling those, but with Safety Sensitive designation, those positions cannot use for other purposes.

Chair Romero agreed - don't give up your positions

Member Manzagol made motion to approve; Vice Chair Liswood second. Director Coleman polled members. All in favor – unanimously approved.

- VI. Climate Change Taskforce update –
 Ms. Laura Tabor, Sustainability and Resilience Officer was granted permission which allowed her to share the prepared presentation. She thanked the board for the invitation. Waste prevention and climate adaptation and mitigation policies presented. Emission reduction targets -45% by 2030. In order to meet this target, task force formed 10 teams including transportation and energy to reduce greenhouse gas. How do we adapt? The task force wanted to improve collaboration and inter-agency action. Specific strategy and goals can be synthesized in a more streamlined way.
Summary/highlights – online resources for State Employees; survey being developed. GSD hard at work with State Green buildings projects. E-signature implementation being accelerated. GSD and DoIT working together to consolidate and make things more efficient. How can we reduce our impact? Teams create a productive collaboration between agencies. Alternative – can corridors on highways. NMAD and EMNRD work together to reduce methane and a disproportionate amount of NM emissions. They are reviewing economic impacts and how to transition. Resilience/adaptation – great communication and collaboration.
Challenges reduced time availability and overall productivity. Main difficulty is common communication methods and sharing files. We are challenged to think differently about how we work and how State-provided services takes thought and creativity and we are rising to that occasions. Incorporating policies and people to operations.
What's next All teams are developing Action Plans. Other teams are working on implementing those plans. Integrating COVID and environmental justice. Building on the work done and adding new strategies. Different divisions are working together and are doing a great job of layering climate items in to everything we do, which will lead to greater results.
 Chair Romero commented that the Governor's support is a huge benefit
 Vice Chair Liswood offered congratulations on inter-agency cooperation and asked what mechanism do you use with other states. It would seem beneficial to share best practices. Do you have a referral system? New Mexico joining US climate alliance joins 24 states to uphold the Paris Climate agreement goals which has been a great way to learn from other states. Working groups focused on specific areas. We have been able to connect teams with other states counter parts. NGA are being used in the forums.
 Chair Romero offered congratulations and said we appreciate the coordination.
- VII. Executive Session
 Chair Romero moved that the Board enter in to closed session as authorized by the administrative adjudication exception of the Open Meetings Act, NMSA 10-15-1(H)(3).
 Do I have a second? Member Chavez second. Roll call – motion carried. Board moved in to executive session at 9:38 a.m.
- Prakash Bhakta moved members to exec session using the Zoom breakout room.
 All board members returned to general session and back on the record at 9:56 a.m. Chair Romero stated that no votes or action was taken while in Executive Session.
 Motion made by Vice Chair Liswood who read the decision in the matter of Trujillo v NMCD, docket number 19-025 we recommend adopting ALJ recommendation.
 Member Manzano second. Director Coleman took roll call – unanimous vote for adopting ALJ recommendation.

VIII. Adjudication Litigation Update –

Janelle Haught, Adjudication Law Judge, reported that in March, April, May and June sixteen (16) new cases were added and nine (9) cases were disposed.

Good news – Ortega v NMRLD – judge ruled in our favor. Copy of judge's order will be emailed to the Board once received.

Orchetti case was affirmed – reinstated in 2017. Prospective backpay would not include OT. Decision supported by substantial evidence.

Valencia v NMCD – at the June board meeting reinstatement was adopted. Corrections Department has appealed that decision

Questions? Chair Romero asked why in Valencia v NMCD the Reinstatement decision was now being appealed. NMCD is alleging the ALJ decision was arbitrary and capricious In the Orchetti matter the judge affirmed the decision to deny OT pay and required Social Security money be offset as well.

IX. Other Business – Next Meeting Date: August 28, 2020

Member Manzagol made motion to adjourn; Member Chavez second.

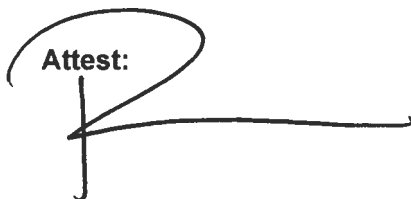
Meeting adjourned at 10:03 a.m.

Approved by:



Christine B. Romero, Chair
State Personnel Board

Attest:



Pamela D. Coleman, Director