



**NEW MEXICO**  
STATE PERSONNEL OFFICE

Michelle Lujan Grisham  
Governor

L. Teresa Padilla  
Director

**State Personnel Board**

Laura A. Liswood  
*Chair*

David F. Cunningham  
*Vice Chair*

Cristin M. Heyns-Bousliman  
*Member*

Carol A. Parker  
*Member*

Fred Radosevich  
*Member*

**State Personnel Board Meeting**

**Willie Ortiz Building**

**2600 Cerrillos Road, Santa Fe, NM**

**Friday, October 28, 2022**

**MINUTES**

**Procedural Items:**

- The State Personnel Board meeting was called to order by Chair Liswood at 9:00 am
- Director Padilla led the Pledge of Allegiance followed by Roll Call. Present: Chair Liswood, Vice Chair Cunningham, Member Heyns-Bousliman and Member Radosevich. Absent: Member Parker.
- Chair Liswood asked Ms. Forlizzi if she had received requests for public comment either via email or in person. No requests for public comment were made.
- Vice Chair Cunningham moved that the meeting agenda be approved; Member Heyns-Bousliman second; roll call; meeting agenda approved unanimously.
- Member Heyns-Bousliman suggested amending the September 16, 2022 minutes to add on page 5, at the end of the first paragraph, that the Board discussed and requested that SPO provide FLSA status on all job descriptions. Vice Chair Cunningham moved that the minutes be adopted as amended; Member Radosevich second; roll call; minutes unanimously adopted as amended.

**General Public Comment** - no requests for public comment received.

**Director's Report** - Director Padilla presented the following:

- Follow-up on questions regarding the budget:
  - Advertising was decreased in operating costs and increased in contract costs because our paid advertising is through a contract. The small remaining cost is for required advertising for Board meetings.
  - Insurance rates are prescribed by GSD and are a result of an evaluation of FY16-FY20. We just recently received the billing, so I am in the process of seeking clarification on the assessment.

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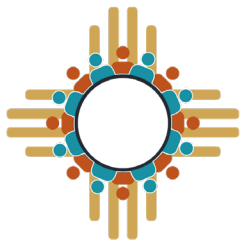
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- IT costs in the 300 category will be reassessed and moved to an appropriate line item as needed. The original assignment was based on the renewal of a software program that we will not be using.
  - At the recommendation of Member Heyns-Bousliman, the classification descriptors will now contain a recommended FLSA Status. You will see that in the descriptors presented today.
- SHARE upgrade was successful with virtually no problems. We are getting used to the new features. We will be working now with the DoIT SHARE team to simplify the recruitment process as much as possible.
- SPO Training and Development has begun a pilot project, starting with NMCD, involving working with agency HR and leadership to assess training gaps of the agency's supervisors and managers, and strategize how best to fill them. This proactive and collaborative approach will help ensure that the agency's supervisors and managers are receiving the full benefit of all training offered by the State Personnel Office.
- As part of the pilot project with NMCD, we are actively engaged in ensuring the NMCD's HR staff receive necessary trainings, including upcoming custom sessions of Managing the Employee Discipline Process and Living in a Union Environment.
- Our Managing the Employee Discipline Process training was developed for agency HR and includes best practices for writing formal disciplinary notices. This training launched in May 2022 and has so far been delivered 3 times to a total of 61 agency HR staff. A version of this training on disciplinary processes directed at supervisors and managers is in development.
- Staffing changes since last meeting:
  - Robert Unger joined the State Personnel Office in October. He hit the ground running in his new role as Labor Relations Manager.
  - Kassidee Lemon is our new Recruitment Coordinator.
  - In our Operations Unit, Sherri Knott joins us as our HR Process Analyst, and Consuelo Montoya joins us as a Compensation Specialist.
  - We are interviewing for our Labor Relations Administrator.
  - We made selections for our Attorney and Classroom Coordinator vacancies— I hope to make introductions at our next Board meeting.
  - We are recruiting now for our Finance and Administrative Services Manager. Rebecca Garcia accepted a position at the State Treasurer's Office.

Vice Chair Cunningham asked what were the training gaps? Director Padilla replied where the agency feels they can improve and where they feel they need additional training. As part of that, we are actively engaged in training HR, including managers. Training is developed for



HR who specifically manage the employee discipline process. Working on delivering the training to supervisors as well.

Chair Liswood thanked Director Padilla for moving the training forward, we hope to see the benefit of that soon. Vice Chair Cunningham commented that HR should always be involved in discipline at least to review, in addition to the agency attorney to make sure they are following agency practices. Padilla replied that is why we are working on training the HR staff. We will be using examples from Adjudication and base it on their guidance.

AAG Joe suggested SPO look to provide generic training to include attorneys since training must be applicable to all state agencies. Joe was asked to send recommendations to the Board regarding training.

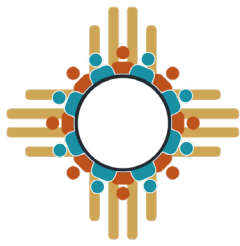
Member Radosevich asked if each agency has their own personnel manuals and if so, are they reviewed by SPO? Director Padilla stated agencies are supposed to submit their personnel policies to SPO on an annual basis. Radosevich suggests that we send any suggestions for changes back to the agency.

### **2023 Paid Holiday Schedule**

Director Padilla presented the proposed schedule of paid holidays for 2023. All holidays are the same as last year. Member Heyns-Bousliman asked if employees receive a floating EI (equity/inclusion) holiday. Padilla stated classified employees receive 2 personal days to use as they choose. Member Heyns-Bousliman moved to approve the 2023 holiday schedule; Member Radosevich second; roll call – 2023 paid holiday schedule approved unanimously.

### **Approval of 2023 SPB Meeting Dates**

Director Padilla presented a list of proposed meeting dates which conform to the meeting requirements. Dates were chosen based on due dates (budget due May 1 and budget request due September 1); Chair Liswood asked if any dates were scheduled more than 8 weeks? We worked on the dates to accommodate due dates without adding more meetings. Member Radosevich moved to accept the dates and Member Heyns-Bousliman second; roll call – 2023 SPB meeting dates approved unanimously.



### **Request for approval of the Healthcare Salary Schedule Adjustment**

Max Cordova, SPO Operations Manager, introduced HR Manager, Mandy Valdez from Department of Health and Camilla Sandoval from Human Services Division as Subject Matter Experts (SME).

Today, we present the changes for the healthcare salary structure. What is listed is grade HA. When the \$15/hr. minimum wage went into effect, it created a lot of compaction at certain grades. The structure starts at \$15 minimum wage and allows agencies to place and retain more appropriately. Changes were made to grades HA – HF in consultation with DOH and MCMC as they are the primary agencies that utilize these categories. The proposed changes help us meet the \$15 minimum wage and achieve parity.

There are 800 employees at DOH who are in direct care, working in hospitals. The proposed movement will give us the ability to appropriately pay. These positions are in very rural areas where the labor market has been exhausted, so by raising the salary we hope to appeal to those outside of the area.

Chair Liswood asked for a follow up report in six months with updated vacancy rates for DOH.

Vice Chair Cunningham referred to appendix 2 and asked why did you draw the line to the change? Cordova replied that line is the difference between vocational and professional.

Member Heyns-Bousliman stated the team did a great job.

Member Radosevich asked about the rural areas and are there other components you are looking at? Money will not solve all the issues. Cordova commends DOH as they provide additional incentives for recruiting and retention. This move is a good starting point to have a happier, healthier and more robust work force.

Vice Chair Cunningham moved to approve the Healthcare Salary Schedule Adjustment; Member Heyns-Bousliman second; roll call; Healthcare Salary Schedule Adjustment approved unanimously.



## **Request for Approval of the New Human Resources Classifications and the Corresponding Business Occupation Salary Structure**

Max Cordova presented the HR Class Study stating there are 2 items for approval:

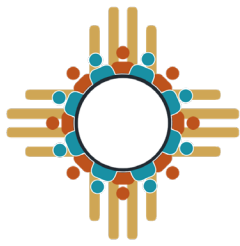
1. Classifications
2. Salary structure

The Board will need to vote twice. Cordova began with Appendix (Appx) 1 and commended Melanie Morgan for her work on this which began in 2019 and through all obstacles, including being shelved during the pandemic, she has played an integral part in the analysis and evaluation of the market. This is not a reaction to a specific need, but a maintenance study to adjust to market as appropriate.

Appx 2 – What we found can be seen in our structure types – 1. Functional/organizational – teams of positions that perform specific functions. 2. Flat organizational structure – smaller agency or a very standardized need within agency - a singular team. 3. Matrix organizational structure – very large agency which differs from functional with mini-HR teams who are semi-independent.

This was created by an HR committee consisting of key HR professionals that were asked to look at the needs and the best approach for today and in the future. More challenging to evaluate due to the unique systems in New Mexico, so the committee did a nation-wide search to find states that were more comparable and considered those in creating these structures. Allowed us to target the function and classifications and adjust as necessary. Continued to utilize Hay in the new structures, which will allow us to move away from Alternative Pay Bands (APB).

Appendix 4 shows the new salary structure. Appendix 5 shows initial allocations for all 400 positions. Full implementation by end of January 2023 will allow us to make all adjustments and work with agencies on a one-on-one basis to ensure correct utilization and once validated, will move agencies one at a time. Chair Liswood confirmed that the Board is approving 2 things, the salary structure and the new classification? AAG Joe stated yes, the Board needs to vote twice. Liswood asked if this was the first time this has been done? Mr. Cordova stated this has been rolled out in the past as two separate agenda items and he disagreed with this approach since they go hand in hand, to potentially deny one would automatically deny the other.



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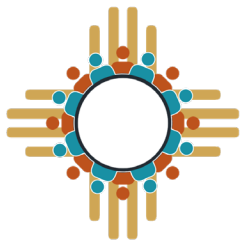
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Chair Liswood commented she and the board would like to see more job descriptions include some reference to DEI.

Vice Chair Cunningham asked is there a conflict of interest in evaluating ourselves? SPO is evaluating itself. Member Heyns-Bousliman agreed that having a third party/outside member on the committee would have been preferred to ensure this was not happening. Discussion around the mechanics of the process were discussed.

Chair Liswood asked Member Heyns-Bousliman if before we move to approve, are you wanting an outside review?

Chair Liswood then asked Director Padilla for her input. Padilla stated the points are well-taken. Understands the concern and she doesn't want the Board to vote if they are not comfortable. If we need to do more, we will. Member Heyns-Bousliman asked is anyone on the committee that was not impacted by this? No, it was mostly HR managers from agencies; SPO employees and the agencies all participated in gathering the information and were offered opportunities to sit on the committee. Addressed the small and big agencies. Member Heyns-Bousliman stated that would have protected the committee from appearance of impropriety. Cordova interjected that no one is being impacted. We don't touch the pay. We don't create compensation. Establishing duties only and ask what the qualifications for those duties are. Integrity is built into the process. Creating a sandbox to be competitive and allow agencies to pay what they need to pay and what they have the budget to pay. Leane Madrid, HR Manager from DOT stated she has experience on both sides and can see the Board's concerns. The Hay methodology is very structured, can't deviate from the process. Madrid stated she was passionate about this item as it is long overdue and will address the ongoing challenges of recruiting and retaining HR professionals. Director Padilla explained that agency HR are submitting reclassifications along with pay band adjustments, reclassifying into appropriate classifications. Other salary components and pay mechanisms are in place such as temporary salary increase requests; the money is already being spent. This will put the HR professionals in the right classifications. Padilla emphasized that this is already going on. The increases are already in agency budgets. Chair Liswood asked Heyns-Bousliman about Hay methodology who explained it is a very popular job evaluation method, but when you are evaluating a skill, there's room for interpretation, though that doesn't mean it's not reliable. Chair Liswood thanked all for the robust conversation, the board has duty of oversight, so this was helpful. Liswood asked for a



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motion. Member Heyns-Bousliman said to feel comfortable, she suggests that future HR class studies include an independent review.

Vice Chair Cunningham moved to approve the new HR Resource Classifications as presented; Member Radosevich second. Roll call. Motion carried unanimously.

Member Heyns-Bousliman moved that the board adopt the Business Occupational Salary Structure as presented on page 14 of 45 with the agreement that future HR class studies with a job evaluation committee include one member who is a 3<sup>rd</sup> party, independent person who is not impacted by the study and that the committee will utilize at least one private sector survey and a geographic factor applied to other state data; Vice Chair Cunningham second; roll call; motion carried as amended.

### **Adjudication Litigation Update**

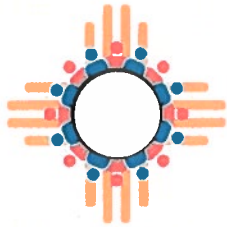
Judge Haught presented the division update:

For the first quarter of fiscal year 2023, the Adjudication Docket has the following cases:

- New Appeals Filed 10
- Appeals Disposed of 16
- Judge Baca and I have 14 Hearings scheduled through March 2023
- Judge Baca and I are working on 5 Recommended Decisions
- There are 2 Pending Motions
- There are 4 mediations scheduled
- 3 cases are pending settlements
- 2 cases are in District Court on Procedural Issues
- We will have 30 appeals at the end of today's Board meeting

Judge Haught stood for questions. Vice Chair Cunningham inquired about the 2 cases in District Court on Procedural Issues. One case involved a discovery issue, and the matter is still pending in District Court. The other case is similar to the AG appeal, dealing with the status of an employee.

No further questions.



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**Executive Session**

Chair Liswood moved to move into closed session. Heyns-Bousliman second. Roll call – moved into closed session we are off the record 10:50 a.m.

- A. Pending Litigation. See NMSA 1978, Section 10-15-1(H)(7)  
Apodaca, Adrian v. NM State Personnel Board and NM Public Education  
Department, D-0101-CV-202201608

Chair Liswood -- Back in open session and on the record at 10:55 am

**Other business**

Chair Liswood wished a happy birthday to Member Heyns-Bousliman.

Member Radosevich asked to be given an update on the remote working situation at the next meeting. We need to know more. What is the direction from SPO? Is this permanent? Is it up to each agency?

Chair Liswood asked for follow up on these items to see how board approval impacts vacancies. Agencies are motivated to fill the positions and the board doesn't know how it comes out on the other end. Liswood would like some way to determine if this is having an impact.

Director Padilla stated she reviewed the vacancy report this morning – currently 16,546 positions are filled and 5,199 vacant. The vacancy rate is 23.99% while those are not all funded positions, they are all authorized.

Next meeting to be held in person on December 9, 2022.

Chair Liswood thanked SPO and the board for participation Member Heyns-Bousliman moved to adjourn; Member Radosevich second; roll call – meeting adjourned at 11:03.

**Approved:**

A handwritten signature in black ink that reads "Laura A. Liswood".

**Laura A. Liswood, Chair**  
State Personnel Board

**Attest:**

A handwritten signature in blue ink that reads "L. Teresa Padilla".

**L. Teresa Padilla, Director**  
State Personnel Office