



Notice of Appeal Form

NM State Personnel Director New Mexico State Personnel Office

2600 Cerrillos Road, Santa Fe, New Mexico 87505
Ph: (505) 476-7813 Fax: (505) 476-7727

In accordance with the Personnel Act, classified service employees who are in career status and have been dismissed, demoted, suspended, or separated by a state agency have a right to appeal their disciplinary action to the NM State Personnel Board. Alternatively, if the employee is covered by a Collective Bargaining Agreement (CBA), the employee may make an irrevocable election to have the appeal decided by an Arbitrator.

No later than 30 calendar days from the effective date of the discipline, a notice of appeal must be made in writing and filed with the NM State Personnel Director at the above address.

NOTE: In the case of an employee covered by a CBA, the Notice of Appeal must indicate whether the employee is choosing the NM State Personnel Board or an Arbitrator to decide the appeal (See Step 2.) All disciplinary appeals will proceed in accordance with the State Personnel Act and State Personnel Board Rules.

To file a notice of appeal using this form, please complete the following six (6) steps:
(This form is provided to assist employees filing an appeal. Its use is purely voluntary.)

Step 1:

I wish to file a Notice of Appeal for the disciplinary action imposed upon me.

My full name, mailing address, contact number, email address and employee number are:

Name: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

State Employee No: _____

Step 2:

I irrevocably elect the following forum for my disciplinary appeal:

- State Personnel Board
- Arbitrator (If selected, please contact the Labor Relations Division at 505-216-8392)

Step 3:

My Notice of Appeal concerns this disciplinary action:

- dismissal
- demotion
- a suspension for _____ days

Effective date of discipline: _____

Step 4:

The following is a list of my reasons (grounds) for my appeal:

- ◆
- ◆
- ◆

(Attach additional sheets as needed.)

Step 5:

You **must** provide a copy of your **Notice of Final Action** with this Notice of Appeal. Your Notice of Appeal **will not** be considered complete until you provide the State Personnel Director with a copy of the Notice of Final Action.

Step 6:

Sign and date below:

Signature: _____

Date: _____

If you have a change of mailing address, email address or telephone number, please advise the office immediately so communication with you is not delayed.