

NOTICE OF PROPOSED RULEMAKING

Public Notice: The New Mexico State Personnel Board will hold a public hearing on Thursday, August 13, 2026, at 9:00 a.m. The meeting will be held in person in the Willie Ortiz Auditorium, 2600 Cerrillos Road, Santa Fe, NM 87505.

Purpose of Rule Hearing: The purpose of the public hearing is to receive public input on the proposed amendments to 1.7.1 NMAC – General Provisions; 1.7.4 NMAC – Pay; 1.7.5 NMAC – Recruitment, Assessment, Selection; 1.7.6 - General Working Conditions; 1.7.7 - Absence and Leave.

Statutory Authority: Personnel Act, Sections 10-9-10 and 10-9-12 NMSA 1978.

Purpose of the Proposed Amendments: The purpose of these changes is to provide greater benefits to employees, align the rules with current practices, and to ensure uniform application of the rules.

Summary of Proposed Changes to 1.7.1 NMAC General Provisions: The section being substantively amended is *Section 1.7.1.12*, clarifying that former and current employees have access to review their own personnel file.

Summary of Proposed Changes to 1.7.4 NMAC Pay: The sections being substantively amended are *Section 1.7.4.13*, adding a pay differential for temporary licensure or certifications; *Section 1.7.4.14*, removing language that would allow an employee to appeal their Fair Labor Standard Act (FLSA) determination to the State Personnel Office Director; *Section 1.7.4.16*, eliminating the requirement that agencies file their on-call compensation policy with the State Personnel Office; and *Section 1.7.4.18*, changing the process for issuing and administering guidelines for submitting proposed cost saving incentive awards to the State Personnel Board by removing the requirement that the secretary of the department of finance and administration participate in the process.

Summary of Proposed Changes to 1.7.5 NMAC Recruitment, Assessment, Selection: The sections being substantively amended are *Section 1.7.5.7*, adding a definition for Rapid Hire Event; *Section 1.7.5.10*, defining when the State Personnel Office director may approve an exception to normal recruitment and establishing a process for recruitment waivers related to demotions; and *Section 1.7.5.13*, removing the requirement that agencies follow procedures approved by the State Personnel Office director related to selection.

Summary of Proposed Changes to 1.7.6 NMAC General Working Conditions: The section being substantively amended is *Section 1.7.6.13*, removing language allowing appeals to the State Personnel Office director when a complaint pertains to interpretation of the State Personnel Board rules.

Summary of Proposed Changes to 1.7.7 NMAC Absence and Leave: The sections being substantively amended are *Section 1.7.7.8*, allowing employees to request annual leave before it is accrued; *Section 1.7.7.15*, clarifying that an employee may be required to reimburse the agency for any tuition, expenses, or costs paid by the agency on behalf of the employee if they leave the employ of the agency within one year of the conclusion of education leave; and *Section 1.7.7.21*, adding Paid Parental Leave for classified employees.

How to Comment on the Proposed Rules: Public comment addressing the proposed rule changes can be made in person using the Public Comment sign-in sheet, by mail to Denise Forlizzi, State Personnel Office, 2600 Cerrillos Rd., Santa Fe, New Mexico 87505 or by emailing your comment to DeniseM.Forlizzi@spo.nm.gov by 5:00 p.m. Thursday, August 27, 2026. Email comments must include the subject line, "Rule Changes to 1.7.1 NMAC; 1.7.4 NMAC; 1.7.5 NMAC; 1.7.6 NMAC and/or 1.7.7 NMAC", the commenter's name and contact information.

Copies of Proposed Rules: Copies of the proposed rules are available for download on the State Personnel Office's website at www.spo.state.nm.us. A copy of the proposed rules may also be requested by contacting Denise Forlizzi by phone at (505)365-3691 or by email DeniseM.Forlizzi@spo.nm.gov.

Special Needs: Individuals who require this information in an alternative format or need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Denise Forlizzi at (505)365-3691 as soon as possible to allow adequate time to provide the requested accommodation(s).