



NEW MEXICO

CORRECTIONS DEPARTMENT

Secretary
Alisha Tafoya Lucero

CD-032600 Corrections Department Salary and Pay Plan	Issued: 11/09/88 Effective: 11/09/88	Reviewed: 05/20/25 Revised: 05/20/25
Alisha Tafoya Lucero, Cabinet Secretary		<i>Original Signed and Kept on File</i>

AUTHORITY:

- A. State Personnel Board Rules 1.7.4 NMAC.
- B. NMSA 1978, Section 10-9-13, as amended.

REFERENCE:

- A. ACA Standard 2-CO-1C-22, *Standards for the Administration of Correctional Agencies*, 2nd Edition.
- B. ACA Expected Practice 5-ACI-1C-18, *Performance Based expected Practices for Adult Corrections Institutions*, 5th Edition.
- C. ACA Standards 1-CTA-1C-09, *Standards for Correctional Training Academies*, 1993.
- D. ACA Standards 4-APPFS-3E-10, *Performance Based Standards for Adult Probation and Parole Field Services*, 4th Edition.
- E. Classified Service Pay Plan.
- F. SPO Audit Guidelines and Quality Measures

PURPOSE:

To provide specific guidelines for all compensation to classified employees of the Corrections Department.

APPLICABILITY:

New Mexico Corrections Department classified employees.

DEFINITIONS:

- A. Appointing Authority: The level of authority within the Corrections Department who can authorize a hire.
- B. Appropriate Placement: Those elements to be considered in determining pay upon hire, promotion, transfer or reduction including the employee's education, experience, training, certification, licensure, internal pay equity, budgetary availability and, when known and applicable, employee performance.

- C. Compa-Ratio: Pay expressed as a percent of the range midpoint. Midpoint is identified as 100% of the range.
- D. Contributor Proficiency Zones: The subdivisions of the Pay Band that designate the employee's contribution in their job role. These proficiency zones are characterized as Associate, Independent and Principal zones.
- E. Demotion: An involuntary downward change for disciplinary reasons with a reduction in pay within an employee's pay band or from a classified position in one pay band to a classified position in a lower pay band with a reduction in pay, and/or removal of supervisory responsibilities and pay.
- F. Employee: A person in a position under the classified service.
- G. In-Grade Hire: The hiring of an individual from outside of the classified service at a salary which exceeds the minimum salary level of the Pay Band.
- H. In Pay Band Adjustment: The movement of an employee within a Pay Band for demonstrated performance, skill or competency development, and/or internal alignment, which allows agency management flexibility to provide salary growth within a Pay Band.
- I. Promotion: The change of an employee from a classified position in one pay band to a classified position in a higher pay band.
- J. Pay Allowance for Performing Supervisory Duties: A pay allowance, renewable annually, that is granted to an employee in a non-manager classification who accepts and consistently performs additional duties that are characteristic of a supervisor.
- K. Reduction: A voluntary change without prejudice, within an employee's pay band, or from a classified position in one pay band to a classified position in a lower pay band.
- L. Regularly Scheduled Work: An employee's normal work hours, as assigned by his or her supervisor. Does not include working other hours in the absence of another employee.
- M. Supervisor: An employee in a non-manager classification who devotes a substantial amount of work time to supervisory duties, customarily and regularly directs the work of two or more other employees and has the authority in the interest of the employer to hire, promote, evaluate the performance of, or discipline other employees or to recommend such actions effectively but does not include an individual who performs merely routine, incidental or clerical duties, or who occasionally assumes supervisory or directory roles or whose duties are substantially similar to those of subordinates, and does not include lead employees, employees who participate in peer review or occasional employee evaluation programs.

- N. Suspension: An involuntary leave of absence without pay for disciplinary reasons for a period not to exceed 30 calendar days.
- O. Temporary Promotion: Employees may be temporarily promoted for a period not to exceed 12 months to a temporary or effectively vacant position for which the agency certified that the employee holds the qualifications and abilities necessary for successful job performance. At the end of the temporary promotion period, employees shall return to their formal position without right of appeal.
- P. Transfer: The movement of an employee from one position to another position pay band without any break in service.

POLICY:

Salary and pay matters shall be administered in a fair, equitable, consistent manner within fiscal constraints and shall adhere to State Personnel Board Rules and this policy.

Compensation and benefit levels for all agency, institutional, and academy personnel are comparable to those for similar occupational groups in the public or private sector and in the state or region. [2-CO-1C-22] [5-ACI-1C-18] [1-CTA-1C-09] [4-APPFS-3E-10]

A. Salaries:

1. Salary upon hire shall be dependent on budget availability but shall not be less than the minimum of the Pay Band. Any request for an entrance salary in the Principal Contributor Zone that exceeds a compa-ratio of 115% will require additional approval of the State Personnel Director. The salary of CO Cadets and PPOI shall be based on the blanket approved compensation rate and budget availability.

2. Pay allowance for performing Supervisor duties:

The Department shall grant a pay allowance, renewable annually, to an employee in a non-manager classification who accepts and consistently performs additional duties that are characteristic of a Supervisor, including assignment of work and performance evaluation of at least two employees. (SPO-20-001)

The amount of the pay allowance shall reflect the supervisory responsibilities and shall be between 0% and 20% above the employee's base pay rate. The SPO-20-001 form approved by SPO shall be signed by the employee at the time of acceptance of a pay allowance evidencing their agreement to the terms and conditions of the pay allowance.

3. Removal of Pay Allowance for Performing Supervisory Duties:

When the supervisory duties are no longer being performed, the Department shall return

the employee to the hourly rate of pay held prior to granting the pay allowance, plus any authorized pay increases. The employee shall be notified prior to removal of a supervisory pay allowance..

4. Promotions:

- a. Correctional Officer Cadets: The salary of an employee promoted from a Correctional Officer Cadet to a Correctional Officer shall be increased and promoted into the Pay Band for a Correctional Officer role within the Correctional pay line structure of the classification.
- b. For the purpose of promotional opportunity within the correctional officer series, pay shall be in accordance with the agency approved blanket rate for the classification.
- c. Promotions/class reductions from a non-custody position into the Correctional Officer series shall be considered on a case-by-case basis. Appropriate placement and internal equity shall be taken into consideration.
- d. All Other Classifications: The salary of an employee upon promotion (including temporary promotion) shall reflect appropriate placement within the Pay Band. Promotional increases above 15% require the approval of the State Personnel Director. Upon promotion, no salary may exceed the maximum value of the new salary range. At the end of a temporary promotion, the employee shall be returned to the salary held prior to the temporary promotion plus any general pay increases. Any Promotion in conjunction with Pay for Supervisory Duties must be evaluated on a case-by-case basis. (**Compensation Action Request Form (SPO-20-001)**).
- e. Promotional increases may not exceed the maximum of the pay band.

5. Demotions:

The salary of an employee who is demoted shall be decreased by up to 15% from the employee's previous salary. However, if the maximum of the new salary Pay Band is more than a 15% reduction from the employee's current salary, the salary upon demotion will be the maximum value of the new Pay Band. No salary upon demotion may exceed the maximum value of the new salary Pay Band nor fall below the minimum value of the new salary Pay Band. **Compensation Action Request Form (SPO- 20-001)**.

6. Transfers:

The salary of an employee who accepts a lateral transfer into a position within the same pay band shall remain the same unless the Secretary approves a higher value up to a maximum of 10% based upon compensation factors in support of the targeted compa-ratio relative to

midpoint. Salary increases above 10% to a maximum of 15% require the approval of the State Personnel Director. **Compensation Action Request Form (SPO-20-001)**

7. Reductions:

a. Non-Custody (Administrative) Positions:

The salary of an employee who takes a voluntary class reduction shall be fair and equitable, determined on a case-by-case basis. Various factors shall be taken into consideration when determining salary, i.e., appropriate placement, internal equity, prior promotional increases, time occupying current position, recruitment difficulties etc., and shall require the approval of the Secretary through the HR Transaction Routing Process. Salary reductions greater than 15% require the approval of the Secretary and State Personnel Director. **Compensation Action Request Form (SPO-20-001)**

b. Correctional Officer Positions:

- 1) The salary of a Correctional Officer Sergeant who takes a voluntary reduction to a Correctional Officer position will be reduced to the blanket approved compensation rate for a Correctional Officer.
- 2) The salary of a Correctional Officer Lieutenant who voluntarily takes a reduction to a Correctional Officer Sergeant will be reduced to the blanket approved compensation rate for a Correctional Officer Sergeant.. No salary, upon reduction, may exceed the maximum value of the new salary Pay Band nor fall below the minimum value of the new salary Pay Band.
- 3) Salary reductions greater than 15% require the approval of the Secretary and State Personnel Director and shall be documented on the **Compensation Action Request Form (SPO-20-001)** and signed by the employee.

A request for a salary reduction of less than 10% shall require the approval of the Secretary through the HR Transaction Routing Process and must be completed on the **Compensation Action Request Form (SPO-20-001)**.

8. Re-Employment or Return to Work:

The salary of former employees who are re-employed or who are returned to work in accordance with State Personnel Board Rule 1.7.10.10 NMAC, 1.7.10.11 NMAC, 1.7.10.12 NMAC or 1.7.10.14 NMAC shall be at least at the minimum of the Pay Band, but shall not exceed the hourly rate at the time of separation.

9. Temporary Salary Increase:

The Secretary, with the approval of the State Personnel Director, may grant a temporary salary increase for up to a maximum of 15% for a period not to exceed one year, to an employee for temporarily accepting and consistently performing additional duties which are characteristic of a classification assigned to a higher Pay Band. This type of increase shall only be requested by the Secretary on the **Compensation Action Request Form (SPO-20-001)**.

10. Temporary Recruitment Differential:

The State Personnel Director may authorize, in writing, a pay differential of up to fifteen (15%) percent of an employee's base pay to an employee who fills a position which has been documented as critical to the effective operation of the agency and has been demonstrated and documented to be a severe recruitment problem for the agency. **Compensation Action Request Form (SPO-20-001)**.

- a. A temporary recruitment differential shall be tied to the position and may not transfer with the employee should the employee leave that position. Payment of this differential shall be separate from the employee's base salary.
- b. A temporary recruitment differential of more than fifteen (15%) percent of an employee's base pay or a total salary (base pay plus differential amount) that exceeds the maximum of the pay band may be approved by the State Personnel Director.

11. Temporary Retention Differential:

The State Personnel Director may authorize, in writing, a pay differential of up to fifteen (15%) percent of an employee's base pay to an employee in a position which the agency has documented and has been designated as critical to the effective operation of the agency and the employee's departure would disrupt the agency's ability to fulfill its mission. **Compensation Action Request Form (SPO-20-001)**

- a. A temporary retention differential may be approved up to one year. Payment of this differential shall be separate from the employee's base salary and may not transfer with the employee should the employee leave that position.
- b. A temporary retention differential of more than fifteen (15%) percent of an employee's base pay or a total salary (base pay plus differential amount) that exceeds the maximum of the pay band may be authorized if approved by the State Personnel Director.

B. Pay:

1. Pay for Dusk to Dawn Work:

Employees shall be paid, in addition to their regular pay rate, no less than \$0.60 per hour for each hour of regularly scheduled work between 6:00 PM and 7:00 AM.

An employee may waive the additional pay when requesting an alternative work schedule.

2. Call-Back Pay:

FLSA covered employees who, while off duty, are called to work other than for his/her regularly assigned shift or regular work hours shall be compensated for a minimum of two hours or the time worked, whichever is greater. The compensation will be as follows:

- a. Employees who work more than two hours will be paid in accordance with Policy *CD-035100* (Overtime Compensation).
- b. Employees who work for less than two hours will be paid for the time worked in accordance with Policy *CD-035100* (Overtime Compensation). The difference of the time worked and two hours, will be paid as straight time at the employee's regular hourly rate. (Earning type is CBS: Call-Back, Straight.) Call-back pay shall not apply to time worked immediately before or after the employee's regularly scheduled shift or regular work schedule.
- c. FLSA exempt employees shall be compensated for actual time worked in accordance with Policy *CD-035100*, (Overtime Compensation).

3. Holiday Pay:

Employees required to work on a holiday will be compensated at two-and-one-half times the usual hourly rate of pay for all hours worked on the holiday.

4. Overtime Pay:

Overtime will be paid in accordance with New Mexico Corrections Department Policy *CD-035100*, Overtime Compensation.



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AUTHORITY:

Policy *CD-032600*

PROCEDURES: [2-CO-1C-22] [5-ACI-1C-18] [1-CTA-1C-09] [4-APPFS-3E-10]

A. General:

The Appointing Authority shall prepare written justification that clearly explains the requested action. Such justification should address all the necessary facts. The written justification shall be sent to the Human Resources Bureau.

B. Salary and Pay Transaction Approval:

All salary and pay transactions resulting in budgetary impact shall require the internal HR routing process and shall require a budget analysis be completed and attached to all pay/salary request forms.

C. In-Grade Hire:

Requests for in-grade hires require the **Compensation Action Request Form** (*SPO-20-001*) which must address the following factors:

1. Qualifications to include education and relevant experience.
2. Special education/experience above the minimum qualifications.
3. Explanation of how proposed salary was determined.
4. Salary/qualification comparison of any employees in the Department in the same class.
5. Recruitment/retention history of the job, if applicable.
6. Any other special factors or circumstances.

D. In-Band Adjustment:

In-band opportunity adjustments provide a mechanism by which management can move an

employee's salary within their current pay band, without a change in position or classification . Progression of an employee's salary should be reflective of their demonstrated skill, competency and performance in the classification.

1. Requests for in-band adjustments must be made as part of an overall annual plan for such adjustments submitted by the Division Director or Facility Administrator. The plan must include a prioritization of adjustments to be made during the year based upon agency business needs. The plan must also include cost projections and budgetary information documenting the division/facility's ability to absorb the impact of the proposed adjustments.
2. Requests for individual employee adjustments without such a plan will only be accepted due to extraordinary circumstances related to urgent business need.
3. An employee's pay rate may be increased once per fiscal year.
4. The new placement of the employee's salary with the increase must be determined and documented as described in Part II, Section A above.
5. Requests must be made based upon demonstrated and documented performance growth, including increased proficiency (knowledge, skills, and abilities) or competencies required for the job; however, no increase may be granted that would place the employee's salary higher than would be indicated with appropriate placement analysis.
6. Requests may be made for purposes of internal alignment with other employees in the same classification with comparable levels of training, education, experience, competency, and performance; however, no increase may be granted that would place the employee's salary higher than would be indicated with appropriate placement analysis.
7. Requests for all in-band adjustments must be approved by the Secretary or designee, the Department of Finance and Administration and the State Personnel Director. **Compensation Action Request Form (SPO-20-001).**

E. Pay Allowance for Performing Supervisory Duties:

1. Requests for a pay allowance for performing supervisory duties must be supported by the **Compensation Action Request Form (SPO-20-001)** acknowledging the conditions of the supervisory pay allowance. (This shall be completed **PRIOR** to assumption of supervisory duties and annually thereafter at the time of the employee's performance evaluation.)
2. The pay allowance will be removed when the duties are no longer being performed.
3. Any Pay Allowance for Supervisory Duties in conjunction with a Promotion or Class Reduction must be evaluated on an individual basis.

F. Temporary Recruitment/Retention Differential:

1. Requests for a Temporary Recruitment/Retention Differential of up to 15% must contain or be supported by the following:
 - a. Explanation of why the person and/or position is critical to the Department and/or the severe conditions associated with the position.
 - b. Foreseeable recruitment difficulties related to the work required and/or locality of the position.
 - c. Foreseeable extensive transition/training period for replacement employees that would hinder Department operations. **Compensation Action Request Form (SPO-20-001).**

G. Temporary Salary Increase Requests:

Requests for temporary salary increases must contain or be supported by the following:

1. A full explanation of the duties being performed by the employees that are in addition to the regularly assigned duties, and which are not characteristic of the employee's classification. **Compensation Action Request Form (SPO-20-001).**
2. The reason such duties are being assigned to the employee.
3. The Human Resources Bureau shall evaluate the written justification and route the justification to the Secretary with a recommended action.
4. The Secretary shall render a decision on the request. Requests that do not require further approval shall be returned to the Appointing Authority with the decision. Requests that require State Personnel Office approval will be forwarded to the State Personnel Office for consideration.

- H.** Any requests for exceptions to this policy must be requested in writing and approved by the Secretary.