

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 7 STATE PERSONNEL ADMINISTRATION
PART 3 CLASSIFICATION

1.7.3.1 ISSUING AGENCY: State Personnel Board.
[1.7.3.1 NMAC - Rp, 1 NMAC 7.3.1, 07/07/01]

1.7.3.2 SCOPE: All state agencies in the classified service.
[1.7.3.2 NMAC - Rp, 1 NMAC 7.3.2, 07/07/01]

1.7.3.3 STATUTORY AUTHORITY: NMSA 1978, Section 10-9-13(A).
[1.7.3.3 NMAC - Rp, 1 NMAC 7.3.3, 07/07/01; A, 11/14/02]

1.7.3.4 DURATION: Permanent.
[1.7.3.4 NMAC - Rp, 1 NMAC 7.3.4, 07/07/01]

1.7.3.5 EFFECTIVE DATE: 07/07/01 unless a later date is cited at the end of a section.
[1.7.3.5 NMAC - Rp, 1 NMAC 7.3.5, 07/07/01]

1.7.3.6 OBJECTIVE: The objective of Part 3 of Chapter 7 is: to provide for a uniform and flexible system for the classification of state positions that supports the mission of state agencies, is adaptable to change, ensures that all positions are assigned to their appropriate classification, and sets forth a process for implementing classification studies.
[1.7.3.6 NMAC - Rp, 1 NMAC 7.3.6, 07/07/01; A, 11/14/02]

1.7.3.7 DEFINITIONS: “Classification plan” means a document developed by the director and approved annually by the board, that describes the board’s classification philosophy and is the foundation for ensuring consistent application of the philosophy.
[1.7.3.7 NMAC - Rp, 1 NMAC 7.3.7, 07/07/01; A, 11/14/02; A, 7-15-05; A, 6-15-10]

1.7.3.8 CLASSIFICATION PLAN:

- A.** The director, pursuant to direction from the board, shall establish, maintain and, in conjunction with state agencies, administer a classification plan for all positions throughout the classified service.
- B.** The board establishes a classification through the review, approval and adoption of new or revised classification descriptions.
- C.** The director may authorize the deletion of unused classification descriptions and revisions to classification descriptions if the revision does not necessitate a study.
- D.** The director shall provide affected parties an opportunity to comment on the creation, revision, and deletion of classification descriptions prior to implementation.
- E.** Agencies may request classification reviews, classification studies and/or classification re-evaluations.

[1.7.3.8 NMAC - Rp, 1 NMAC 7.3.8, 07/07/01; A, 11/14/02; A, 7-15-05; A, 6-15-10]

1.7.3.9 POSITION ASSIGNMENT:

- A.** The director, in conjunction with state agencies, shall ensure that each position in the classified service is assigned to the classification that best represents the duties assigned by the employer and performed by the employee.
- B.** When a filled position is assigned a classification with a lower pay band, in accordance with the provisions *Subsection A of 1.7.3.9 NMAC*, the employee may elect to take a reduction in accordance with *Subsection EE of 1.7.1.7 NMAC*, or overfill the position in their current classification.
- C.** A position assignment decision may be appealed to the director through the agency’s chain-of-command. Appeals to the director must be in writing and include the agency’s analysis of the reasons for the appeal. The director’s decision is final and binding.

[1.7.3.9 NMAC - Rp, 1 NMAC 7.3.9, 07/07/01; A, 11/14/02; A, 7-15-05; A, 12-30-05; A, 10-15-08]

1.7.3.10 IMPLEMENTATION OF CLASSIFICATION STUDY RESULTS: On a date determined by the director, employees affected by a classification study shall be assigned to the resulting new classification which best represents the job performed without having to meet the established requirements, unless minimum qualifications are required by law.

[1.7.3.10 NMAC - Rp, 1 NMAC 7.3.10, 07/07/01; A, 7-15-05]

HISTORY OF 1.7.3 NMAC:

Pre-NMAC History:

Material in this part was derived from that previously filed with the commission of public records - state records center and archives as:

SPB Rule 8, Classification, filed 05-22-80;

SPB Rule 8, Classification, filed 07-22-82;

SPB Rule 8, Classification, filed 08-11-82;

SPB Rule 8, Classification, filed 10-21-82;

SPB Rule 8, Classification, filed 10-17-86;

SPB Rule 8, Classification, filed 07-30-87;

SPB-7, Classification, filed 04-04-90;

SPB-7, Classification, filed 10-19-90;

SPB 5, Classification, filed 12-15-92.

History of Repealed Material:

1 NMAC 7.3, Classification, filed 06-13-97.

Other History:

1 NMAC 7.4, Classification, filed 01-12-96 replaced SPB 5, filed 12-15-92;

1 NMAC 7.4, Classification, filed 01-12-96 replaced by 1 NMAC 7.4, filed 05-02-96;

1 NMAC 7.4, Classification, filed 05-02-96 replaced by 1 NMAC 7.3, Classification, filed 06/13/97;

1 NMAC 7.3, Classification, filed 06-13-97 replaced by 1.7.3 NMAC, Classification, effective 07/07/01.