

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 7 STATE PERSONNEL ADMINISTRATION
PART 9 PERFORMANCE APPRAISALS

1.7.9.1 ISSUING AGENCY: State Personnel Board.
[1.7.9.1 NMAC - Rp, 1 NMAC 7.9.1, 07/07/01]

1.7.9.2 SCOPE: All state agencies in the classified service.
[1.7.9.2 NMAC - Rp, 1 NMAC 7.9.2, 07/07/01]

1.7.9.3 STATUTORY AUTHORITY: NMSA 1978, Section 10-9-10(A) and NMSA 1978, Section 10-9-15.
[1.7.9.3 NMAC - Rp, 1 NMAC 7.9.3, 07/07/01; A, 11/14/02]

1.7.9.4 DURATION: Permanent.
[1.7.9.4 NMAC - Rp, 1 NMAC 7.9.4, 07/07/01]

1.7.9.5 EFFECTIVE DATE: 07/07/01 unless a later date is cited at the end of a section.
[1.7.9.5 NMAC - Rp, 1 NMAC 7.9.5, 07/07/01]

1.7.9.6 OBJECTIVE: The objective of Part 9 of Chapter 7 is: to provide for the regular appraisal and documentation of employee performance and review of agency compliance in conducting performance appraisals.
[1.7.9.6 NMAC - Rp, 1 NMAC 7.9.6, 07/07/01]

1.7.9.7 DEFINITIONS: [RESERVED]
[1.7.9.7 NMAC - Rp, 1 NMAC 7.9.7, 07/07/01]

1.7.9.8 FORM:

A. The performance and development of managers and employees shall be documented on a director approved appraisal form that includes:

- (1) basic employee information (employee's name, working title, employee identification number, position number, anniversary date, and the name of their immediate supervisor);
- (2) job assignments and goals;
- (3) performance rating areas; and
- (4) signature spaces for the employee, rater and reviewer to record initial, interim and final performance appraisal discussions.

B. A performance and development plan shall be initiated within 90 calendar days of appointment, reassignment, promotion, demotion, reduction, transfer and/or the employee's appraisal date, and shall become a part of each employee's employment history.

[1.7.9.8 NMAC - Rp, 1 NMAC 7.9.8, 07/07/01; A, 11/14/02; A, 3/31/04; A, 9-14-07]

1.7.9.9 PERFORMANCE APPRAISAL:

A. Managers and supervisors must successfully complete a director-approved course of study on employee performance appraisal within 90 days of appointment as a supervisor.

B. The performance and development of a career employee shall be reviewed semi-annually and appraised by the immediate supervisor on an annual basis completed by the employee's anniversary date.

C. The performance and development of a probationary employee shall be reviewed through at least two interim reviews and a final review prior to the completion of the employee's probationary period. The performance and development of promoted employees shall be reviewed through at least two interim reviews and a final review prior to the completion of a one-year period upon promotion.

D. The appraisal of employee performance and development shall be performed by the immediate supervisor with employee input and participation. Additional input and participation from employee's peers, customers, subordinates, or other appropriate personnel may be applied when appropriate.

E. Appraisals may be performed whenever an immediate supervisor wishes to make an employee's performance a matter of record, upon change of immediate supervisor, or whenever appropriate.

F. Managers and immediate supervisors who fail to comply with the provisions of **1.7.9 NMAC** may be subject to disciplinary action including dismissal.
[1.7.9.9 NMAC - Rp, 1 NMAC 7.9.9, 07/07/01; A, 11/14/02; A, 7/30/03; 12/01/03; A, 3/31/04]

1.7.9.10 [RESERVED]
[1.7.9.10 NMAC - N, 07/01/02; A, 11/14/02; A, 7/30/03; A, 12/01/03; A, 3/31/04]

1.7.9.11 **REBUTTAL:** Employees may submit a rebuttal to performance appraisals, which shall become a part of the performance appraisal.
[1.7.9.11 NMAC - Rp, 1 NMAC 7.9.10, 07/07/01]

1.7.9.12 **REPORT TO THE BOARD:** During the fourth quarter of each calendar year the director shall report to the board on the record of each agency in conducting performance appraisals of its employees in the classified service. Agencies shall cooperate with the director, in accordance with the provisions of *NMSA 1978, Section 10-9-15*, and provide the director with such information concerning its performance appraisals as the director may require.
[1.7.9.12 NMAC - Rp, 1 NMAC 7.9.11, 07/07/01; A, 11/14/02]

HISTORY OF 1.7.9 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 17, Performance Evaluation and Training, filed 05-22-80;
SPB Rule 17, Performance Appraisal and Training, filed 06-03-81;
SPB Rule 17, Performance Appraisal and Training, filed 10-21-82;
SPB Rule 13, Leaves of Absence, filed 07-22-82;
SPB-9, Performance Appraisal, filed 04-04-90;
SPB 12, Performance Appraisals, filed 12-15-92;
SPB 9, Performance Appraisals, filed 03-18-94;

History of Repealed Material:

1 NMAC 7.9, Performance Appraisals, filed 06-13-97.

Other History:

1 NMAC 7.11, Performance Appraisals, filed 01-12-96 **replaced** SPB 12, filed 12-15-92;
1 NMAC 7.11, Performance Appraisals, filed 05-02-96;
1 NMAC 7.11, Performance Appraisals, filed 05-02-96 **replaced by** 1 NMAC 7.9, Performance Appraisals, filed 06-13-97;
1 NMAC 7.9, Performance Appraisals, filed 06-13-97 **replaced by** 1.7.8 NMAC, Absence and Leave, effective 07/07/01.