



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



POLICY NUMBER	
PRS: 16	
EFFECTIVE DATE: 10/20/2008	ORIGINAL ISSUED ON: 04/11/1998
REVISION NO: 3	

SUBJECT: NEW MEXICO STATE POLICE OFFICER PAY PLAN

1.0 PURPOSE

The purpose of this policy is to establish a Salary and Compensation Program for New Mexico State Police Officers (NMSP). Changes in law, rules or regulations which cause this policy to need revision will supersede the applicable section of the policy as required for compliance.

2.0 POLICY

It is the policy of the Department of Public Safety to implement and maintain a fair and equitable compensation program for New Mexico State Police Commissioned personnel.

3.0 APPLICABILITY

All DPS New Mexico State Police Commissioned Personnel.

4.0 REFERENCES

- A. Personnel Act 10-9-4 (H)
- B. 9-19-6.1 NMSA, 1978 Secretary; duty to develop career pay system for State Police
- C. 29-2-9 NMSA, 1978
- D. 29-2-10 NMSA, 1978
- E. 29-2-16 NMSA, 1978 Recruit Salary
- F. CALEA Chapter 22 – Wages, Compensation and Conditions of Work

Upon implementation of this policy the following policies are rescinded: PRS 10:00 Holiday Pay, PRS 23:00 Specialty Team Pay, and PRS 22:00 Educational Incentive Pay.

5.0 DEFINITIONS

- A. **Agent** - Any commissioned officer permanently assigned to a plain-clothes function.
- B. **Anniversary Date** - The date of appointment to the job class, or the total service credit date for an experienced or reinstated officer, or the date of a class reduction or demotion.
- C. **Commissioned Date** - The hire date of the officer as an NMSP commissioned officer.
- D. **Holiday** - For purposes of this policy, NMSP will recognize the holiday schedule established by the State Personnel Board.

- E. Midpoint** - The middle value between the minimum and the maximum of the salary range, which may or may not coincide with an actual step value within the salary range.
- F. NMSP Officer** - An officer who is commissioned as a New Mexico State Police Officer.

6.0 PROCEDURE

A. Pay Structure

1. The salary schedule is the official schedule of salaries for commissioned NMSP officer job classifications in the State Police.
2. The NMSP Officer Salary Schedule consists of salary ranges through the rank of Adjutant Chief. The purpose of the salary range is to provide a variable rate of pay for a class in recognition of an officer's increased value to state government as he gains skill and competency in his class.
3. Each salary range has a midpoint identified that represents job worth, which is the targeted pay rate for jobs of that relative worth.
4. Each salary range contains a minimum and maximum value.
5. A single rate of salary is established for the rank of Chief.
6. No NMSP Officer shall be paid a salary less than the minimum or greater than the maximum of the salary range for the assigned class.
7. All salary changes, new appointments, and reinstatements shall result in a salary value that conforms to a step value of the appropriate salary range.
8. Periodic adjustments to the salary ranges may be approved in compliance with the law.

B. Salary upon Hire

1. **Recruit Salary** – A recruit is compensated at the recruit salary rate while completing requirements for becoming a commissioned NMSP officer. [29-2-16 NMSA, 1978 Recruit Salary]
2. **Entry Level Patrolman** - Upon commission as an NMSP Officer, the officer is assigned to step 1 of the salary range established for the Patrolman classification and remains on that step for a minimum period of one year before advancing to step 2, contingent upon satisfactory performance. The commission date becomes the officer's hire date and class anniversary date. [29-2-9 NMSA, 1978]
3. **Effective for an experienced law enforcement officer hired 7/1/06 or later**– The salary of an experienced law enforcement officer upon hire as a Patrolman at DPS will be determined based upon the number of years of certified law enforcement experience as follows:
 - Less than 2 years: placed at step 1
 - 2 but less than 3 years: placed at step 2

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- 3 but less than 4 years: placed at step 3
- 4 but less than 5 years: placed at step 4
- 5 or more years: placed at step 5
4. The initial salary of an experienced law enforcement officer shall be placed no higher than step 5 upon commission.
 5. An experienced law enforcement officer, except for reinstated NMSP officers, will be hired as a recruit and paid at the recruit salary until commissioned as a New Mexico State Police Officer.
 6. The date of appointment of an experienced law enforcement officer to Patrolman rank will become the officer's hire date and the anniversary date. [29-2-9 NMSA, 1978]

C. Salary upon Reinstatement (effective for NMSP officers reinstated 7/1/06 or later)

1. The salary of a reinstated NMSP officer will be determined based upon the combination of NMSP past service credit with additional consideration for the number of years of certified law enforcement experience at other law enforcement agencies as follows:

Experience at other LEA

- Less than 2 years: same step as past service credit
- 2 but less than 3 years: placed 1 step above past service credit step
- 3 but less than 4 years: placed 2 steps above past service credit step
- 4 but less than 5 years: placed 3 steps above past service credit step
- 5 or more years: placed 4 steps above past service credit step
2. In no case will a reinstated NMSP officer's salary exceed the last step of the pay range.
 3. The anniversary date will be based upon the total service and experience credited to the officer upon reinstatement.

D. Anniversary Salary Increase

1. Subject to specific legislative authorization for each state fiscal year, an NMSP officer whose performance has been at least satisfactory, or the equivalent, shall move one step within his assigned salary range each state fiscal year on the first day of the pay period following the anniversary date. The anniversary date is established by the date of appointment, or in the case of reinstatement the total service and experience credited, and is changed as of the date of promotion, class reduction or demotion.
2. Any period of full-time continuous leave without pay in excess of 30 calendar days shall not be credited as continuous employment toward eligibility for an anniversary

salary increase and will change the NMSP officer's anniversary date unless otherwise provided for by law .

3. Authorized military leave or family medical leave will not change an anniversary date.
4. Subject to specific legislative authorization for each state fiscal year, an NMSP officer in permanent status whose performance is less than satisfactory on his anniversary date shall not be eligible for an anniversary salary increase until his next anniversary date provided he receives a satisfactory performance evaluation upon that anniversary date. (See 5 below)
5. Upon a satisfactory anniversary performance appraisal, the NMSP officer will be placed on a step commensurate with the number of years of satisfactory service.
6. Subject to specific legislative authorization for each state fiscal year, an NMSP officer whose base salary is equal to the maximum value of his respective salary range and whose performance is at least satisfactory, or the equivalent, will be awarded a one-time lump sum payment equivalent to 3% of the midpoint of the salary range, effective the pay period following the officer's anniversary date. This lump sum payment is not credited towards retirement (PERA).

E. Salary upon Promotion

1. Upon being promoted, an NMSP officer shall receive an increase to the first step of the new salary range. The date of promotion will become the new anniversary date.

F. Salary upon Voluntary Reduction in Rank

1. An NMSP officer who accepts a voluntary reduction in rank will be placed on the step in the range assigned to the new rank that represents cumulative service in both the lower and higher rank.
2. The anniversary date is established by the date representing the cumulative service.

G. Salary upon Reclassification from Exempt to Permanent Rank

1. An NMSP officer reclassified from an exempt rank to a permanent rank will be placed on the step in the range assigned to the new rank that represents cumulative service in both the lower and higher rank.
2. The anniversary date is established by the date representing the cumulative service.

H. Salary upon Demotion

1. Upon disciplinary demotion, an NMSP officer's salary shall be decreased to a step in the lower salary range that results in at least a 5 percent decrease in salary.
2. No salary upon demotion may exceed the maximum value of the new salary range nor fall below the minimum value of the new salary range.
3. The date of demotion is the NMSP officer's new anniversary date.

I. Special Incentive Pay

At the discretion of the Chief, an NMSP officer may be provided a special incentive pay of up to 15% under the following conditions:

1. An NMSP officer who is assigned by the Chief to perform added temporary duties and responsibilities not otherwise routinely performed may be provided a special incentive pay for a period of up to twelve (12) months; this may be extended at the discretion of the Chief.
2. An NMSP officer who is in a position which the department has an inability to effectively recruit and retain may be assigned a special incentive pay for up to two years. The circumstances meriting this increase shall be documented and include the turnover and retention statistics and recruitment efforts related to this position; this increase may be extended so long as conditions meriting the increase continue.
3. Special Incentive pay shall be tied to the position and/or conditions for which justification has been made and may not transfer with the NMSP officer should the officer leave the position or discontinue performing the additional duties and responsibilities.
4. Special Incentive pay shall be subject to PERA benefits.

J. Shift Differential

Non-ranking NMSP officers and Sergeants shall be paid a shift differential of \$0.90 per hour for work between 6:00 p.m. and 7:00 a.m.

K. Holiday Pay

1. An NMSP officer is typically required to work any holiday that is scheduled as part of an established work cycle.
2. An NMSP officer required to work the holiday shall be compensated at two and one-half times his hourly rate of pay for all hours actually worked. Such compensation shall be in the form of straight time cash payment for the hours worked and holiday compensatory time at the rate of 1.5 times the hours worked. Holiday compensatory time accrued may be paid at the agency's election once accrued within the timing constraints of the automated payroll system.

Example: Officer worked 8 hours on New Year's Day. Officer will receive 8 hours of pay at his regular hourly rate and accrue 12 hours of holiday comp. Holiday comp then may be paid by officer election effective the next calendar day.

3. If the number of hours actually worked are fewer than the number of hours normally scheduled, then the balance of the normally scheduled hours are compensated as straight paid time.
4. When a holiday falls on an NMSP officer's regularly scheduled workday and the officer is not required to work, the officer shall be compensated at straight time pay for the number of hours he/she would have normally worked.

Example: Officer is scheduled to work Sunday – Thursday, 8 hours/day. The officer

is not required to work on Memorial Day (Monday). Officer will be compensated for 8 hours holiday pay at his regular hourly rate.

5. An NMSP officer whose normal work schedule does not include the observed holiday shall be entitled to time off equal to the officer's normal workday.

Example: Officer is scheduled to work Tuesday through Saturday, 8 hours/day. On Monday, Memorial Day, the officer does not work. Officer will receive holiday compensation (holiday comp banked) in the amount of 8 hours.

6. Holidays that occur during an employee's sick leave will not be charged to sick leave and will be recorded and paid as holidays.
7. An NMSP officer who has been charged absence without leave on the workday prior to or directly following an observed (time off) holiday shall not be paid for the holiday.

L. Pilot Certification Compensation

1. An Officer certified to pilot and who is assigned to the Aircraft Section shall receive \$400 per month incentive pay.
2. Pilots must fly a minimum of 8 hours during 4 consecutive pay periods to remain eligible for certification compensation.
3. The Aircraft Section commander will be responsible for verifying pilots' eligibility for certification compensation and reporting it to the Human Resources Bureau.
4. The Pilot's incentive pay shall be subject to PERA benefits.

M. Agent Incentive Pay

1. Agents shall be paid \$80 per month incentive pay.
2. The Agent's incentive pay shall be subject to PERA benefits.

N. Specialty Team Incentive Pay

1. Specialty teams include the Tactical Team, Search & Recovery Team, Emergency Response Team and the Explosive Ordinance Team.
2. In recognition of the additional hazardous duty associated with assignment to one of the above Specialty Teams, an NMSP officer assigned to one or more Specialty Teams will receive \$50.00 per month Specialty Team pay.
3. Specialty Team pay shall not be subject to PERA benefits.

O. Educational Incentive Pay

An NMSP officer who meets all the requirements for postsecondary education that is documented from an accredited organization recognized by the Council On Higher Education at the time the degree was awarded shall be provided a stipend as follows effective the pay period after the one in which he provides sufficient documentation of the degree requirements:

1. Bachelor's Degree - \$100.00 per month.

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2. Master's Degree - \$125.00 per month.

Educational incentive pay shall not be subject to PERA benefits.

P. Administrative Methodology Effective July 1, 2006

1. Service in the classification of NMSP patrolman is cumulative.
2. On July 15, 2006, a NMSP officer will be placed on the step within his rank that represents cumulative service in that rank as of 6/30/06 regardless of past performance evaluation ratings. Beginning July 1, 2006, Section 5.0 (D) will apply to all step movement based upon anniversary dates and evaluations.

7.0 ATTACHMENTS

NONE

8.0 APPROVAL

APPROVED BY: s/John Denko
DPS Cabinet Secretary

DATE: October 20, 2008