



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



POLICY NUMBER	
PRS:26	
EFFECTIVE DATE: 03/06/2002	ORIGINAL ISSUED ON: 03/06/2002
REVISION NO: 1	

SUBJECT: CLASSIFIED EMPLOYEE COMPENSATION

1.0 PURPOSE

The purpose of this policy is to establish the State Personnel System classified pay structure that is consistent with the State Personnel Board Rules to all classified employees of the Department of Public Safety.

2.0 POLICY

The Department of Public Safety shall implement the State Personnel System classified pay structure in a manner that is consistent with the State Personnel Board Rules while supporting the department business needs and remaining within the appropriations of the department budget.

3.0 APPLICABILITY

This policy applies to all employees of the Department of Public Safety who are defined as classified employees under the State Personnel System.

4.0 REFERENCES

- A. Personnel Board Rule 1NMAC 7.4**

5.0 DEFINITIONS

- A. ASD** – Administrative Services Division.
- B. BPB** – Budget and Planning Bureau of DPS.
- C. Comp-ratio** – Pay expressed as a percentage of the midpoint of a salary grade.
- D. Director** – Director of the State Personnel Office.
- E. DPS** – Department of Public Safety.
- F. Effective Date** – The actual calendar date that an employee begins a new job assignment. This date must be the first Saturday at the beginning of the pay period if the employee is a current state employee.
- G. IDC** – Interdepartmental Correspondence.
- H. In-Pay Band Adjustment** – Movement 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. In-Pay Opportunity Adjustment** – Movement within a pay opportunity for a field of work within a Manager Category for demonstrated performance, skill or competency development, and/or internal alignment, which allows agency management flexibility to provide salary growth within a pay opportunity.
- J. MC** – Manager Category.
- K. Midpoint** – The middle of a pay range (compa-ratio of 100.0).

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- L. **PMB** – Personnel Management Bureau of DPS.
- M. **SPO** – State Personnel Office.
- N. **TOG** – Technical Occupational Group.
- O. **Work Order** – DPS Personnel Action Work Order.

6.0 PROCEDURE

A. General Guidelines

1. There are two types of ranges of pay. The range of pay rates for employees in Technical Occupational Groups (TOG) is called a pay band. A pay band is 67% wide. The range of pay rates for employees in Manager Categories (MC) is called a pay opportunity. A pay opportunity is 50% wide.
2. In general salary decisions should reflect consideration of the employee's appropriate placement within the salary band or pay opportunity relative the midpoint salary of the pay band or pay opportunity (compa-ratio of 100), internal equity, budgetary limitations, market competitiveness, and agency business need. Appropriate placement is a value, established or anticipated, of an individual employee's contribution relative to the value of the full scope of duties and responsibilities of the job as represented by the midpoint of pay for the job.
3. Placement and progression of an employee's salary should be reflective of their demonstrated skill, competency, and performance in the TOG or MC. No employee will be paid at a salary below the minimum or above the maximum of the salary pay band or pay opportunity unless provided for in Personnel Board Rule or statute.
 - a. Associate Zone, first 17% of pay band (compa-ratio of 75.0-83.9): pay in this zone should reflect the fact that the employee is still learning the job and has not yet achieved full competency in the job, received close supervision, and is expected to seek instruction and guidance before taking on new tasks.
 - b. Independent Zone, middle 60% of pay band (compa-ratio of 84.0-113.9): pay in this zone should reflect the fact that the employee is fully developed and capable of performing the full scope of job duties and responsibilities; rarely needs instruction and guidance to perform routine duties; expected to assume full accountability for successful completion of tasks.
 - c. Principal Zone, top 23% of pay band (compa-ratio of 114.0-125.0): pay in this zone should reflect the fact that the employee has demonstrated mastery of the job; regularly performs the most complex and demanding work associated with the job role; supervisor spends relatively little time coaching in technical competencies and skills; consistently functions as a team leader.
4. Each MC Pay Opportunity contains a minimum, midpoint, and maximum value with compa-ratios of 80.0, 100.0, and 120.0 respectively.

B. Specific Responsibilities

1. Each division will be held responsible for remaining within its current fiscal year budgetary limitations without any expectations of funding beyond the current level.
2. Each division must initiate any pay transaction request with an IDC, a Work Order, and any additional required documentation and submit the request through the proper approval track (see 3).

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3. There are three types of approval tracks which are described below and which are referred to in each pay transaction that follows:
 - a. TYPE A – Division initiates IDC and Work Order. BPB approves, PMB approves, ASD final approval, and PMB retains document.
 - b. TYPE B – Division initiates IDC and Work Order, BPB approves, PMB approves and prepares Form AGY XXX and attachments, ASD approves, Secretary final approval, and PMB retains documentation.
 - c. TYPE C – Division initiates IDC and Work Order, BPB approves, PMB approves and prepares Form AGY XXX and attachments, ASD approves, Secretary approves, SPO final approval, and PMB retains documentation.
4. The PMB shall be responsible for finalizing all requests that must be forwarded to SPO including the appropriate Form AGY XXX and for maintaining documentation of pay transactions, which may be subject to SPO or independent audit.

C. Entrance Pay

1. Entrance salary at the minimum.
 - a. Approval Track – Type A.
2. Entrance salary is greater than minimum but less than a TOG compa-ratio of 114.0 or a MC compa-ratio of 100.0 or lower.
 - a. Approval Track – Type B plus a justification including the following information:
 1. Employee's education and experience in the particular field or type of work and how they related to the proposed salary.
 2. The level and scope of the work that the employee is expected to perform and how it relates to the proposed salary.
 3. A salary comparison analysis of other employees in the same class within the work unit that justifies the proposed salary.
 4. A copy of the SPO Application, SPB-500.
 5. A copy of the job-related qualification standards or job requirements for the position.
 6. Copies of related licenses, certification, and training.
 7. Any other information appropriate for use in determining the appropriate placement of the employee or candidates pay.
 8. (Personnel Action Checklist – Ingrate Hire Action) Form AGY – 003 prepared by PMB.
3. Entrance salary is greater than a TOG compa-ratio of 113.9 or a MC compa-ratio than 100.0 and receives a positive review.
 - a. Approval Track – Type C all the information listed in 5.3.2.1 above plus the following.
 1. Additional information: The applicant's name, SSN, proposed TOG Role or Manager Category, pay band, or pay opportunity, tool number, perm number, salary requested, and compa-ratio requested.

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2. (Personnel Action Checklist – Ingrate Hire Action) Form AGY-003 prepared by PMB.

D. In-Pay Band or In-Pay Opportunity Adjustment

1. An employee's salary may be increased multiple times within a fiscal year as long as the total increase does not exceed 10% and does not exceed the maximum of the pay band or pay opportunity (or more than 10% if required to reach the minimum of a new pay band or pay opportunity).
2. Requests may be based on demonstrated and documented performance growth, including increased proficiency or competencies required for the job and must take into account an appropriate placement analysis salary level.
3. Requests may be made for the purposes of internal alignment with other employees in the same TOG role or Manager Category with comparable levels of training, education, experience, competency, and performance.
 - a. Approval Track – TYPE B plus written justification as specified above and additional form.
 1. (Personnel Action Checklist – In-pay band or In-pay opportunity) Form AGY 115 prepared by PMB.

E. Salary Upon Promotion

1. A promotion may occur when the status of a career, probationary, or term employee is changed from a position in one TOG or MC to another TOG or MC of a higher pay band or pay opportunity. In order to be promoted, the employee must meet the minimum qualifications of the proposed TOG or MC.
2. A salary increase of 5% - 15%, a salary increase of less than 5% to prevent the employee's salary from exceeding the maximum of the pay band or pay opportunity, or a salary increase of more than 15% in order to bringing the employee to the minimum of the pay band or pay opportunity.
 - a. Approval Track – TYPE B justification including the information below.
 1. Documentation that reflects a recognizable increase in job duties and responsibilities between the new job and the previous job.
 2. Description of the employee's education and experience in the field of work necessary to perform the functions of the proposed position and how it relates to the proposed salary.
 3. Description of the level and scope of work that the employee is expected to perform and how it relates to the proposed salary.
 4. A salary comparison analysis of other employees in the same TOG or MC and work unit that justifies the proposed salary.
 5. (Personnel Action Checklist – Promotional Increase) Form AGY-250a prepared by the PMB.
3. A salary increase of less than 5% or greater than 15% (except as in 2 above).
 - a. Approval Track – TYPE C justification including the information and form listed in 1 above.

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4. If the proposed salary increase is greater than the amount budgeted for the position, the requesting division must provide an explanation of the source of additional funding to support the salary.
5. A salary increase that includes both a promotion and a supervisory pay allowance cannot exceed 20% unless a higher increase is required to reach the minimum of the pay band.

F. Salary Upon Demotion

1. The salary of an employee who has been demoted in accordance with applicable Personnel Board Rule and DPS policy shall be decreased no more than 15% unless a greater decrease is required to bring the salary to the maximum of the new pay band or pay opportunity.
2. A demotion is a disciplinary action and shall be justified, implemented, and documented in accordance with Personnel Board Rule 1.7.11 NMAC, Discipline, and DPS Policy.

G. Pay Allowance For Performing Supervisory Duties

1. A supervisory pay allowance between 5% and 20%, for up to one year, renewable annually, may be granted to an employee in a TOG who accepts supervisory responsibilities in addition to performing TOG duties. Supervisory duties must include work direction and performance evaluation of at least two employees. The pay allowance will not become a part of the employee's base pay rate.
2. A salary increase that includes both a promotion and a supervisory pay allowance combined cannot exceed 20% unless a higher increase is required to move the individual to the minimum of the pay band.
3. The pay allowance for performance of supervisory duties is subject to budgetary limitations, internal equity considerations, and departmental business needs.
4. Department general guidelines for the amount of supervisory pay granted, when not in conjunction with a promotion, is as follows:
 - a. 2 – 4 employees, 5% - 10% of base pay.
 - b. 4 – 10 employees, 8% - 15% of base pay.
 - c. 10 or more employees, 10% - 20% of base pay.

Additional consideration may be given to special circumstances related to the nature of the supervisory duties that either significantly increased or decreased the difficulty of the supervisory responsibilities such as complexity and consequence of error.

- d. Approval Track – TYPE B written justification addressing 5.7.4 above and additional form.
 1. (Personnel Action Checklist – Pay allowance for performing supervisory duties) Form AGY-010 prepared by PMB. The employee must also agree to the terms listed on Form AGY-010 and sign the form.
5. When supervisor duties are no longer being performed, the agency shall revert the employee to the hourly rate held prior to granting the pay allowance, plus any authorized pay increase.

H. Salary Upon Suspension

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1. The salary of an employee who has been suspended may be temporarily reduced by up to 15% for a period not to exceed 160 consecutive work hours (upon return to work).
 - a. A suspension and a subsequent reduction in pay is a disciplinary action and shall be justified, implemented, and documented in accordance with Personnel Board Rule 1.7.11 NMAC, Discipline, and DPS Policy PRS:12.

I. Salary Upon Transfer

1. The salary of an employee who moves from one position to another in the same pay band or pay opportunity without a break in employment shall remain the same (Personnel Board Rule Subsection RR of 1.7.1.7 NMAC).

J. Salary Upon Pay Band or Pay Opportunity Change

1. When the Personnel Board makes adjustments to pay bands and pay opportunities, affected employee salaries shall remain the same even if they fall below or above the adjusted pay bands or pay opportunities (Personnel Board Rule 1.4.7.11 I NMAC). Employees' salaries may still be changed by the department under the provisions of 5.4 above (In-pay band or In-pay opportunity adjustment).

K. Salary Upon Reduction

1. The salary of an employee who takes a class reduction may be reduced up to 15%.
 - a. Approval Track – TYPE A.
2. In special circumstances the salary of an employee who takes a class reduction may be reduced more than 15%.
 - a. Approval Track – TYPE C a written justification.
 - b. (Personnel Action Checklist – reduction greater than 15%) Form AGY-020 prepared by PMB.
3. If the reduction is made in accordance with a supervisory pay allowance, the employee's salary shall revert to the previous salary as specified in section G, number 5.

L. Salary Upon Return to Work or Reemployment

1. The salary of form employees who return to work from a reduction in force, return to work early from compensable injury under the Worker's Compensation Act, or are reemployed injured form employees shall be at least at the minimum of the pay band or pay opportunity but shall not exceed the pay rate held at the time of separation. The salary of employee's who are reemployed after separation from the classified service to enter the United States Armed Services, National Guard, or Organized Reserve Unit shall be reemployed in accordance with the provisions of 38 U.S.C. Chapter 43, NMSA 1978, sections 28-15-1 to 28-15-3 (Repl. Pamp. 2000) and any other applicable laws.
 - a. Approval Track – TYPE A.

M. Salary Upon Temporary Promotion

1. Salaries for temporary promotions shall be administered in accordance with section E above (Salary Upon Promotion). At the end of a temporary promotion, the employee shall be returned to the hourly pay rate held prior to the temporary promotion, plus any authorized salary increases.

N. Temporary Salary Increase

1. An agency may, with the approval of SPO, grant a temporary salary increase of up to 15%, for a period not to exceed one year from the effective date of the salary increase, for temporarily accepting and consistently performing additional duties that are characteristic of a TOG or MC assigned to a higher pay band or pay opportunity. SPO may approve temporary salary increases above the maximum of the pay band or pay opportunity, provided that the increase does not exceed the maximum of the higher pay band or pay opportunity or 15%.
 - a. Approval Track – TYPE C the following:
 1. Required additional information: The proposed hourly salary, the percent of salary increase, the begin and end dates of the increase, the title of the higher TOG or MC, the specific reasons which justify the increase, the employee's education and experience in the field and how it correlates to the proposed salary, and the employee's acceptance of performing the additional duties.
 2. (Personnel Action Checklist – Temporary Salary Increase) Form AGY – 200a prepared by PMB.
2. When the temporary conditions cease to exist, the salary of the employee shall revert to the hourly pay rate held prior to the salary increase, plus any authorized salary increases.

O. Shift Differential

1. Employees shall be paid a shift differential of \$.60 per hour for hours of regularly scheduled work between 6:00 p.m. and 7:00 a.m.
2. Payment of this differential shall be separate from the employee's base pay.
3. The department shall notify SPO of any change in shift differential rates.

P. Temporary Recruitment Differential

1. The SPO Director may authorize in writing a pay differential of up to 15% of pay band/ pay opportunity midpoint, or a pay differential of more than 15% of pay band/ pay opportunity midpoint or a total salary (base pay plus differential) that exceeds the maximum of the pay band or pay opportunity to an employee who fills a position that has been documented as critical to the effective operations of the department and has been demonstrated and documented to be a severe recruitment problem for the department.
 - a. Approval Track – TYPE C plus the following information and additional form.
 1. Explanation of how percent of increase was determined.
 2. Information regarding recruitment difficulties related to geographic location and/or unusual or extreme working conditions.
 3. Information documenting unsuccessful attempts to recruit qualified applicants.
 4. (Personnel Action Checklist – Temporary Recruitment Differential) Form AGY-100a prepared by PMB.
2. A differential authorized under this provision 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. The department shall

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demonstrate to SPO, at least biennially, the circumstances which justified the differential to determine the necessity of its continuance.

Q. Temporary Retention Differential

1. The SPO director may authorize in writing a pay differential of up to 20% of the position's pay band or pay opportunity midpoint to an employee who fills a position that has been documented as essential to the effective operation of the department and the employee's departure would disrupt the agency's ability to fulfill its mission; or the employee is in a position, which has a documented history of severe retention difficulties.
 - a. Approval Track – TYPE C plus the following information and additional form.
 1. Explanation of how percent of increase was determined.
 2. Information explaining why the position is essential to the effective operation of the department and how the employee's departure will disrupt the agency's mission or information documenting severe recruitment difficulties.
 3. A detailed plan outlining what the department intends to do to resolve the problems associated with the retention difficulty.
 4. (Personnel Action Checklist – Temporary Retention Differential) Form AGY-150a prepared by PMB.
2. A differential authorized under this provision shall not exceed one calendar year under any circumstances.
3. Payment of this differential shall be separate from the employee's base salary.
4. The retention differential shall be tied to the position, shall not be in conjunction with a Temporary Recruitment Differential, and shall transfer with employee should the employee leave that position.
5. The retention differential shall be tied to the position and shall not transfer with the employee should the employee leave that position.

R. Out-of-State Differential

1. The department does not have any classified employees stationed outside of New Mexico.

S. DPS Procedures Related to Employee Compensation

1. PRS:09 – Overtime Compensation.
2. PRS:10 – Holiday Compensation.
3. PRS:XX – Employee Performance Pay.

7.0 ATTACHMENTS

- A. Form AGY – 003 In-Grade Hire Action**
- B. Form AGY – 005 In-Pay Band or In-Pay Opportunity Adjustment**
- C. Form AGY – 010 Pay Allowance for Performing Supervisory Duties**
- D. Form AGY – 020 Reduction Greater than 15%**

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E. Form AGY – 100a Temporary Recruitment Differential

F. Form AGY – 150a Temporary Retention Differential

G. Form AGY – 200a Temporary Salary Increase

H. Form AGY – 250a Promotional Increase

8.0 APPROVAL

APPROVED BY: _____ s/ Thomas English _____ DATE: March 06, 2002
DPS Cabinet Secretary