



NEW MEXICO CORRECTIONS DEPARTMENT

Secretary
Alisha Tafoya Lucero

CD-034500 Furlough Policy for Employees	Issued: 04/07/89 Effective: 03/17/89	Reviewed: 09/05/23 Revised: 09/05/23
Alisha Tafoya Lucero, Cabinet Secretary		<i>Original Signed and Kept on File</i>

AUTHORITY:

- A. State Personnel Board Rule 1.7.10 NMAC.
- B. Official Agreement Between the State of New Mexico and American Federation of State, County and Municipal Employees, New Mexico Council 18, Article 30, Sections 1 and 2.

REFERENCE:

State Personnel Office Procedures for Rule 1.7.10 NMAC.

PURPOSE:

Establish the process by which individuals will be furloughed for budget and program purposes within the Corrections Department.

APPLICABILITY:

New Mexico Corrections Department employees.

DEFINITIONS:

- A. Custody Position: For purposes of this policy, this includes all positions with a working title of Cadet, Correctional Officer 1, Sergeant, Lieutenant, Captain, and Major.
- B. Furlough: Temporary placement of an employee in a modified duty, modified pay condition for lack of work or funds. The modified duty, modified pay condition may be partial or full time.
- C. Non-Custody Position: All classifications not included in the custody definition.
- D. Service Date: Total length of service with the Department calculated from the latest employment date with the Department after adding four years for a Performance Evaluation score of "Exceptional" and two years for a Performance Evaluation score of "Successful". The Performance Evaluation score must be on record for at least 90 days.

POLICY:

- A. Furloughs will only be used when absolutely necessary as a mechanism to reduce costs for deletion of positions, shortage of work or funds, or other reasons that do not reflect discredit on the services of the employees.

- B. Budget activities, as defined by the DFA, will be used for purposes of furlough. Specifically, the following units will be used by the Corrections Department:

Organizational

<u>Unit No.</u>	<u>Name</u>
10000	Administrative Services
12000	Health Services
13000	Adult Prison
14000	Training Academy
16000	Security Threat Group
17000	Reentry and Education
18000	Northeast New Mexico Correctional Facility
19000	Guadalupe County Correctional Facility
20000	Western New Mexico Correctional Facility
25000	Information Technology
30000	Southern New Mexico Correctional Facility
40000	Penitentiary of New Mexico
50000	Central New Mexico Correctional Facility
60000	Roswell New Mexico Correctional Facility
70000	Probation and Parole
74000	Community Corrections
80000	Corrections Industries
90000	Springer Correctional Center

- C. Whenever possible, every individual within an organizational unit will be furloughed an equal number of hours in order to minimize the impact to each individual.
- D. In organizational units where there are custody personnel, all individuals will be divided into two groups: custody and non-custody. Furloughs will take place within these two categories.
- E. In making determinations concerning length of furlough or sequence of furlough, the following order will be utilized:
1. Temporary and emergency employees.
 2. Probationers with less than one year of service. Individuals will be furloughed in reverse order of Service Date.
 3. Career status employees with more than one year of service in reverse order of Service Date.
- F. Furloughs involving employees covered by the Collective Bargaining Agreement shall be handled in accordance with Article 30, Sections 1 and 2.



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AUTHORITY:

Policy *CD-034500*

PROCEDURES:

- A. The Secretary, who is the only individual who can authorize a furlough, shall initiate the furlough process by sending a letter to the State Personnel Office. The letter shall:
 1. State the reason(s) the furlough is necessary.
 2. Identify the organizational unit(s) that will be affected.
 3. Identify the classification and number of individuals within each affected organizational unit who will be furloughed.
 4. Provide other information, as deemed necessary.
- B. The Secretary, after having received approval from the State Personnel Office, shall send a letter to the Bureau Chief, Division Director or Deputy Secretary of the organizational unit directing a furlough. Additionally, all personnel actions within the unit affected by the furlough will be frozen immediately.
- C. The State Personnel Office shall send an individual letter to each affected employee at least 14 calendar days before the effective date of the furlough. The letter shall:
 1. Provide the individual with the reason(s) for the furlough.
 2. Provide the individual with the length of the furlough and the amount of reduction in normal working hours.
 3. State that employees who fail to return to work from furlough when directed by the agency shall be considered absent without leave and may be subject to disciplinary action up to and including dismissal. Individuals will be given at least 14 calendar days notice before the date they are required to return to work.
- D. The State Personnel Office shall submit a report detailing the furlough results to the Secretary within ten calendar days of furlough completion.
- E. In making determinations concerning length of furlough or sequence of furlough, the

following order will be used:

1. Temporary and emergency employees.
 2. Probationers with less than one year of service. Individuals will be furloughed in reverse order of Service date.
 3. Career status employees with more than one year of service in reverse order of Service Date
- F. Furloughs involving employees covered by the Collective Bargaining Agreement shall be handled in accordance with Article 30, Sections 1 and 2.