

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, 1.7.9.1 NMAC, 1/14/2025]

1.7.9.2 SCOPE: All state agencies in the classified service.
[1.7.9.2 NMAC - Rp, 1.7.9.2 NMAC, 1/14/2025]

1.7.9.3 STATUTORY AUTHORITY: Subsection A of Section 10-9-10 NMSA 1978 and Section 10-9-15 NMSA 1978.
[1.7.9.3 NMAC - Rp, 1.7.9.3 NMAC, 1/14/2025]

1.7.9.4 DURATION: Permanent.
[1.7.9.4 NMAC - Rp, 1.7.9.4 NMAC, 1/14/2025]

1.7.9.5 EFFECTIVE DATE: January 14, 2025, unless a later date is cited at the end of a section.
[1.7.9.5 NMAC - Rp, 1.7.9.5 NMAC, 1/14/2025]

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, 1.7.9.6 NMAC, 1/14/2025]

1.7.9.7 DEFINITIONS: [RESERVED]

1.7.9.8 FORM:

A. The performance of managers and employees shall be documented on a State Personnel Office (SPO) 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 appraisal shall be initiated within 45 calendar days following the date of the employee's hire, reassignment, promotion, demotion, reduction, or transfer to a position and shall become a part of each employee's employment history.

[1.7.9.8 NMAC - Rp, 1.7.9.8 NMAC, 1/14/2025]

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 hire into a supervisor or manager position, and a refresher course every three (3) years, or as needed.

B. The performance appraisal of a career employee shall include, at least, a semi-annual interim review and a final annual review by the immediate supervisor by the employee's anniversary date.

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

D. The performance appraisal of an employee 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. Performance 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, 1.7.9.9 NMAC, 1/14/2025]

1.7.9.10 [RESERVED]
[1.7.9.10 NMAC - Rp, 1.7.9.10 NMAC, 1/14/2025]

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, 1.7.9.11 NMAC, 1/14/2025]

1.7.9.12 REPORT TO THE BOARD: During the fourth quarter of each calendar year the SPO 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, 1.7.9.12 NMAC, 1/14/2025]

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 5/22/1980;
SPB Rule 17, Performance Appraisal and Training, filed 6/3/1981;
SPB Rule 17, Performance Appraisal and Training, filed 10/21/1982;
SPB Rule 13, Leaves of Absence, filed 7/22/1982;
SPB-9, Performance Appraisal, filed 4/4/1990;
SPB 12, Performance Appraisals, filed 12/15/1992;
SPB 9, Performance Appraisals, filed 3/18/1994;

History of Repealed Material:

1 NMAC 7.9, Performance Appraisals, filed 6/13/1997.
1.7.9 NMAC, Performance Appraisals, filed 6/14/2001, replaced by 1.7.9 NMAC, Performance Appraisals, effective 1/14/2025.

Other History:

1 NMAC 7.11, Performance Appraisals, filed 1/12/1996 replaced SPB 12, filed 12/15/1992;
1 NMAC 7.11, Performance Appraisals, filed 5/2/1996;
1 NMAC 7.11, Performance Appraisals, filed 5/2/1996 replaced by 1 NMAC 7.9, Performance Appraisals, filed 6/13/1997;
1 NMAC 7.9, Performance Appraisals, filed 6/13/1997 replaced by 1.7.8 NMAC, Absence and Leave, effective 7/7/2001.