



TIME AND ATTENDANCE POLICY

I. PURPOSE

- A. The purpose of the New Mexico Department of Finance and Administration Time and Attendance Policy ("Policy") is to establish (i) normal work hours for Employees, and (ii) a process for Employees to request alternative work schedules, take breaks, report times, receive pay advice, and correct pay, pursuant to State Personnel Board Rule 1.7.4 NMAC.

II. POLICY

- A. Employees must report to work on time and as scheduled;
- B. Employees must adhere to authorized work schedules;
- C. If an Employee will be late to work, then Employees must notify a supervisor in accordance with this Policy;
- D. Employees may request an alternative work schedule in accordance with this Policy;
- E. Approved Alternative Work Schedules may cancel, suspend, or adjust Alternative Work Schedules in accordance with this Policy;
- F. Employees shall be provided break periods in accordance with this Policy;
- G. Records of time worked by Employees shall be maintained in accordance with this Policy;
- H. Correct paychecks in accordance with this Policy; and
- I. Poor attendance or excessive tardiness may result in Disciplinary Action.

III. PROCEDURES

A. Submission of Request for Alternative Work Schedule Form:

1. Employees must submit a *Request for Alternative Work Schedule form* attached as Appendix A ("Form") to the Employee's immediate supervisor for review and recommendation. Questions regarding this Policy need to be addressed through the Supervisory Chain.
2. Supervisors must make sure that their sections are adequately staffed at all times during the hours and office is open to the public or dealing with clients. Exceptions to this rule must be approved in writing by the Agency Head.
3. Supervisors shall review the Form and recommend for approval or recommend for disapproval the request. All requests for recommendations for disapproval will have the supervisor's stated rationale for the recommendation for disapproval on the Form.
4. The Agency Head will approve or disapprove the Form based on operational coverage in the work area and the recommendations of the supervisor. Approved Forms are subject to the following:
 - a) Changes to Approved Schedule. Supervisors, with the approval of the Agency Head, may cancel, suspend, or adjust Alternative Work Schedules based on workload, special projects, special assignments, training, etc., if it would be more effectively addressed by working the normal work schedule.
 - b) Notice of Changes. Employees shall be given at least a two (2) week notice when canceling, suspending, or adjusting an approved alternative work schedule.
 - c) Jury Duty. If jury duty falls on your regular day off to include your alternative work day, Employee will not be granted trade-off time or compensatory time in lieu of jury duty.
 - d) Alternative work schedule will not be in effect until the form is approved by the supervisor or Agency Head.

5. The DFA Human Resources Bureau ("HR") will maintain custody of the original Form. A copy of the Form must be provided to the Employee.

IV. DEFINITIONS

- A. **"Agency"** means any state department, bureau, division, branch, or political subdivisions of the state and any of their branches, agencies, departments, boards, instrumentalities or institutions bound by the New Mexico State Personnel Board Rules and Regulations.
- B. **"Agency Head"** means the DFA Cabinet Secretary.
- C. **"Agency Hours of Operation"** means 8 am to 5 pm Monday through Friday, excluding listed holidays.
- D. **"Alternative Work Schedule"** means any deviation from the normal work hours and workdays with an hour lunch period.
- E. **"Disciplinary Action"** means any action taken by an Agency to influence change in an Employee's performance or behavior to the expected standard, including letters of reprimand, suspensions, demotions, and Dismissal.
- F. **"Employee"** means (i) any person in a position in the classified service; (ii) an individual employed by the DFA, receives a wage from DFA, and whose work is under the direct control and supervision of the DFA; (iii) term, probationary, temporary, permanent, and exempt positions; or (iv) an applicant for employment within the DFA. "Employee" does not include independent contractors who perform work for New Mexico.
- G. **"Normal Work Schedule"** means Monday through Friday from 8 am to 5 pm with an hour lunch period.
- H. **"Supervisory Chain"** means the hierarchical structure within the DFA. Employee's immediate or first line supervisor is the first step in the supervisory chain.

V. TIME AND ATTENDANCE

- A. Alternative Work Schedules:

Time and Attendance Policy

**Updated on 12/28/2023*

1. DFA recognizes that an alternative work schedule may not be practical for certain positions because of the nature and responsibilities of the job. Alternative schedules may not be approved if such schedules will result in increased overtime in order to accomplish work assignments.
2. Participation in a car or van pool does not imply automatic approval of a requested work schedule.
3. Employees may not request an alternative work schedule until they have successfully completed their probationary period.

B. Break Periods:

1. **Lunch Periods:** Lunch periods must be for at least thirty (30) minutes and may not be taken at the beginning or end of the work day. Bona fide meal periods of thirty (30) minutes or longer, during which the Employee is completely relieved of duty are not considered hours worked.
2. Fifteen (15) Minute Break Period:
 - a) Employees may be granted a fifteen (15) minute break in the morning and a second fifteen (15) minute break in the afternoon. Break periods shall not be combined with any kind of leave and may not be taken at the beginning or end of the work day or immediately before or after the lunch period.
 - b) Supervisors may adjust break periods based on workload, special projects, special assignments, training, etc. Employees shall be given as much advance notice as possible when adjusting a break period.
 - c) Break and lunch periods shall not be accumulated.

C. Timekeeping:

1. All Employees, FLSA exempt and FLSA non-exempt, are accountable for accurately recording and submitting their time reports by 5pm on the last (payroll) Thursday of the pay period. All managers and supervisors must approve an employee's time by 12 pm payroll Friday, unless otherwise

directed by the Agency Head. Failure to do so may result in delayed payroll payment.

2. This information ensures that the DFA is in compliance with applicable laws that require the DFA to keep accurate records of "time worked" in order to correctly calculate Employee pay and benefits.
3. Employees must accurately record the time that they begin and end their work day. Advance approval is always required from the Agency Head prior to working any overtime hours.

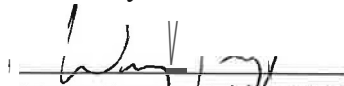
VI. Paydays:

- A. Employees will receive their paychecks on a bi-weekly basis every other Friday pursuant to the DFA policies. For confidentiality reasons, the paycheck/direct deposit advances will be dispersed throughout the morning hours. After the morning hours the Employee will be responsible for picking up their paycheck/direct deposit advice from the designated administrative location.
- B. If an Employees is on extended period of leave, then the Employee will have their check/direct deposit advice placed in the mail.
- C. If a regularly scheduled payday falls on a holiday, then Employees will receive their paycheck/direct deposit advice on the day before their scheduled payday.

VII. Paycheck Corrections:

- A. The DFA makes every reasonable attempt to ensure that you receive the correct amount of pay in each paycheck and that Employees are paid on the scheduled payday.
- B. If there is an error in the amount of pay an Employee receives, then the Employee should promptly advise the DFA HR Bureau Chief, so that the discrepancy can be corrected as quickly as possible.

VIII. REVIEW APPROVAL. This Policy is effective upon the signature of the DFA Cabinet Secretary, below.


Wayne Propst, **Cabinet Secretary**

12/29/2023

Date