



Administrative Office of the Courts

New Employee Orientation Class

Effective February 2015

Class Agenda / Training Modules

- **Training Module 1 - Structure of the Judiciary and Background of the AOC**
- Training Module 2 - NM Judicial Branch Personnel Rules Part I & II and NM Judicial Branch Code of Conduct
- NM Judicial Branch Response to Coronavirus
- Training Module 3 - Loss Control, Fraud Reporting, Drug & Alcohol Prevention & Testing, & Computer and Internet use
- Training Module 4 - Harassment, Discrimination, and Retaliation Prevention
- Training Module 5 - Benefits Overview including PERA and Payroll

Orientation Packet/Checklist

- Information you will find in your orientation packet:
 - General Forms
 - Policies and Procedures
 - PERA
 - Benefits





NM Judicial Branch Acknowledgements

- Acknowledgement form for the New Mexico Judicial Branch Personnel Rules, Policies and Procedures including the Judicial Branch Code of Conduct or Canons
- Acknowledgement form for the Financial Fraud Policy
- Acknowledgement form for the Drug-Free and Alcohol-Free Work Place and Drug/Alcohol Testing Policy
- Acknowledgement form for the Driving with Electronics Policy
- Acknowledgement of the Workers' Compensation Policy
- Acknowledgement form for the Language Access Policy
- Acknowledgement form for the Computer and Internet Use Policy

NM Judicial Branch Acknowledgements

- Acknowledgement form for the Loss Prevention and Safety Training
- Acknowledgement form for the Harassment, Including Sexual Harassment, Discrimination and Retaliation Prevention Policy
- Acknowledgement of FLSA and Overtime Compensation
- Acknowledgement of the Driving While Intoxicated (DWI) Policy
- Acknowledgement form for the Transgender Cultural Fluency Training (*Google Form*)



NM Judicial Branch Forms

(complete within 3 days from start date)

- I-9 Employment Eligibility Form
- Personal Data Form
- Employee Appointment Form
- W-4 Form
- Payment Distribution Form
- PERA Application and Beneficiary Designation Form
- Fair Labor Standards Act Determination Letter
- New Hire Benefits Acknowledgment Form

Structure of NM Government

❖ 3 Branches

□ Legislative

- Senate
- House of Representatives

□ Judicial ~ **Chief Justice**

- Supreme Court
- Court of Appeals
- District Court
- Metropolitan Court
- Magistrate Court

□ Executive ~ **Governor**

- State Agencies

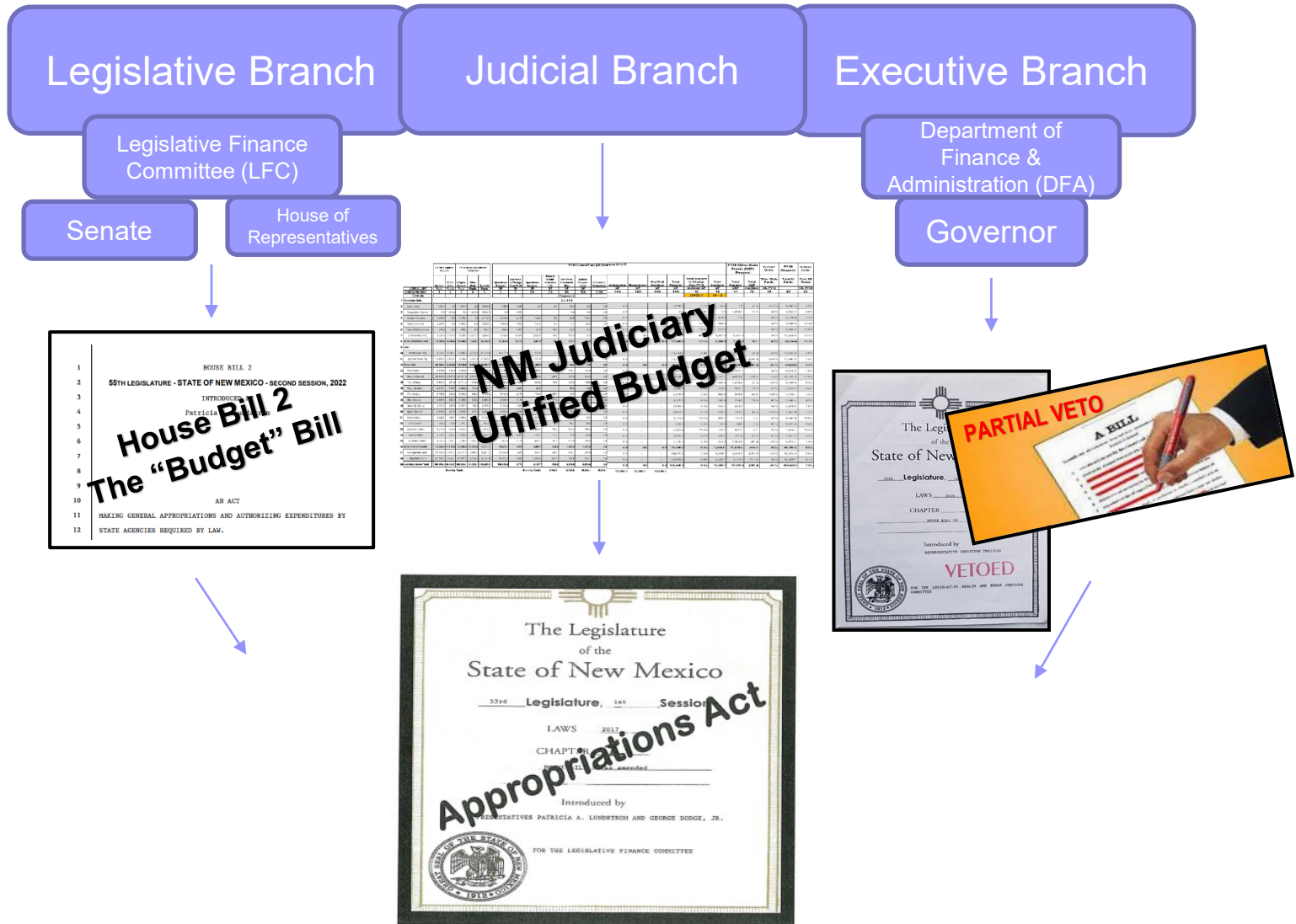


How State Government Works

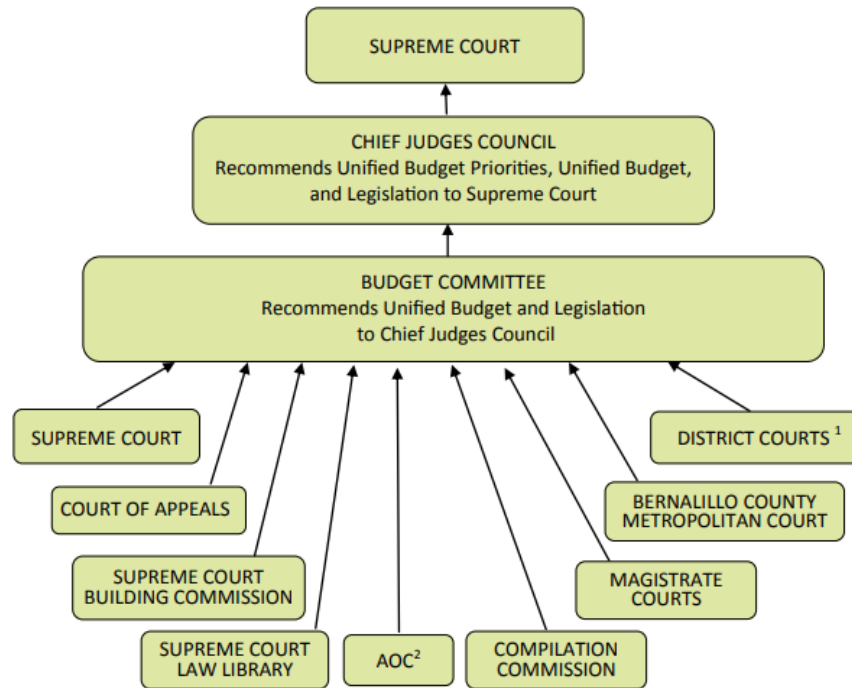
- Legislative Branch ~ Passes Legislation
- Executive Branch ~ Implements
- Judicial Branch ~ Interprets



New Mexico Appropriations Process



New Mexico Judiciary Budget Process

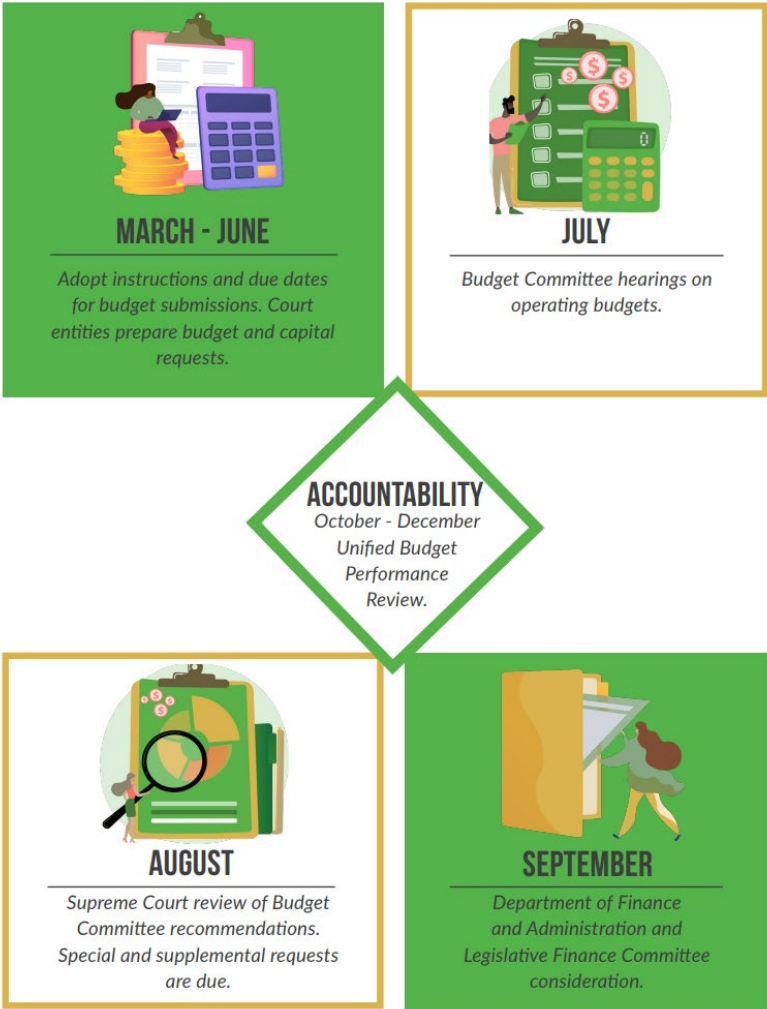


¹ Each District Court submits an individual budget request. The judicial districts by county are:

1st	2nd	3rd	4th	5th	6th	7th
Santa Fe Rio Arriba Los Alamos	Bernalillo	Doña Ana	Mora San Miguel Guadalupe	Lea Eddy Chaves	Grant Luna Hidalgo	Catron Sierra Socorro Torrance
8th	9th	10th	11th	12th	13th	
Taos Colfax Union	Curry Roosevelt	Harding Quay De Baca	San Juan McKinley	Lincoln Otero	Cibola Sandoval Valencia	

²The Administrative Office of the Courts (AOC) submits budgets for Magistrate Courts, Administrative Services, Court Services, and the Judicial Information Division.

New Mexico Judiciary Budget Process Timeline



Unified Budget and Legislative Agenda Published

New Mexico Judiciary

UNIFIED BUDGET AND LEGISLATIVE AGENDA

FISCAL YEAR 2025



Contents

The New Mexico Supreme Court

FY25 Budget Requests

Budget Process Timeline

New Mexico Court of Appeals

Judicial Salary Increase

Legislative Changes

Employee Salary

Judges' Retirement Plans

Legislative Changes

Replacement of Fee Funding

Judicial Education Services

Statewide Self Help

Photos, graphics, and edits by Ann Keith and Stephanie Woods

LETTER FROM THE CHIEF JUSTICE

Dear Governor Lujan Grisham and Members of the New Mexico Legislature:

I am pleased to present the Judiciary's FY25 Unified Budget and Legislative Agenda and look forward to working with you during the 2024 Legislative Session.

Despite the continued decline of the overall number of applicants for open judgeships because of non-competitive compensation, the request to tie New Mexico justices' salaries to federal magistrate judge salaries has been vetoed two years in a row. Respecting that response, I created the Judicial Selection and Retention Commission, which includes members from the Executive, Legislative, and Judicial branches. The Commission's recommendation is to increase New Mexico justices' salaries to \$232,600 for fiscal year 2025 with annual percentage increases added at the rate of the Consumer Price Index for all Urban Consumers (CPI-U) as of June 30 of the preceding fiscal year, followed by the statutory salary progression of judicial officers. The Commission, which studied complex factors related to judicial recruitment and retention, determined this increase will improve the Judiciary's ability to recruit and retain high quality judges with diverse practice backgrounds.

Changes in the Judicial branch's retirement program is also critical in ensuring judicial retention of judges. We propose to increase the service credit for retirement in the Judicial Retirement Fund (JRA) and Magistrate Fund (MIRA). In addition to the change to service credit for JRA, the Judiciary proposes to change contribution rates for judges and the employer and a reduction in the current vesting period from 8 to 5 years. Currently, the maximum retirement rate is 85%, which would increase to 100% under this proposal.

Equity in compensation for judicial staff to the pay of executive staff is an additional priority request. It is not only essential for employee retention, but reflects integrity and fairness in New Mexico's government. The Judiciary is requesting a 10% increase in employee compensation as we slowly close this gap.

Additionally, the Judiciary is working to expand self-help services across the state. Robust self-help programs exist in the Second Judicial District Court and in the Bernalillo County Metropolitan Court, and this expansion would provide court navigation services, including a scribing program, to all corners of our great state.

In summary, the Judiciary's top budget requests for FY25 are:

- \$6.05 million - Judicial Salary Increase (excludes magistrate judges)
- \$11.5 million - Employee Salary Increase (excludes judges)
- \$575,000 - Statewide Self-Help Program

This budget also asks the Legislature to fund our rural justice initiatives. The lack of lawyers in rural New Mexico underscores the need to ensure people are aware and knowledgeable about available legal services. New Mexico has large "legal deserts," where there are few to no options for legal representation in civil matters. For instance, four New Mexico counties do not have a single practicing lawyer, and more than one-third of the state's counties have eleven or fewer attorneys.

With funding from the last legislative session, we are implementing a pilot judicial clerkship

Sincerely yours,

C. Shannon Bacon
Chief Justice



The gap between executive and judicial salaries is \$11.5 million. The gap is 10% or more, and the cost to close the gap would be approximately 11.5 million.

lative fund and action look as for tities.

10%
Gap between Executive
Branch Employee Salaries
\$11.5 MILLION
Cost to close the gap

EMPLOYEE SALARY

Inflation has grown 91% over the past year - a steep increase that has not been seen in decades. That means an additional \$4,200 in spending for a household income of \$50,000 over the course of the past year. According to the latest inflation report by the U.S. Bureau of Labor Statistics, costs have increased for energy, food, gas, and rent.

Our goal is to provide an enhanced increase in pay to Judicial staff beyond that provided to all state employees to improve the Judiciary's competitive balance with the Executive staff pay for similar work. **The gap is 10% or more, and the cost to close the gap would be approximately 11.5 million.**

Judicial Branch Employee Spotlight

On the right, the Supreme Court congratulates Carlos Campos on becoming an American citizen. Carlos has worked hard for more than a year to achieve this, and we all are very happy for him. Carlos has been a member of the Supreme Court's fantastic Building Commission since 2018.

Of course, Carlos's family is very excited and proud of him. His supportive family includes his wife, Magdalena Medina, and many other family

members both in New Mexico and in Mexico.

Carlos describes his citizenship test as the biggest, most stressful test of his life. But, with much practice and "many small steps," Carlos's preparation paid off. At his citizenship exam on March 28, he was a "little nervous" and took many "sleep breathers," but after the first question he was able to relax and do his best. Afterward, he describes, "I was so excited when the officer said, 'Carlos, you passed! My wife was right outside, and we had so much emotion!' Right away, Carlos called his teacher at Somos Un Pueblo Unido, a statewide non-profit organization that supports the immigrant community.

Carlos describes life in his adopted country as offering him a "better life with the most opportunity." He appreciates his job at the Court, including his coworkers and his boss, Building Superintendent Carlos Gutierrez.

On May 17, Carlos received his certificate of citizenship. This is a proud and happy time of celebration for Carlos and his family. Congratulations, Carlos!

FY25 Judiciary Budget Requests

21.2%
Increase from the FY24 General Fund
Appropriation

FY25 JUDICIARY BUDGET
\$276,445,100.00

THE JUDICIARY'S TOP BUDGET REQUESTS INCLUDE:

- \$6,048,684.38 - Judicial Salary Increase (excludes Magistrate Judges)
- \$11,500,000.00 - Employee Salary Increase (excludes judges)
- \$575,000.00 - One-time funding for statewide self help program

The Judiciary historically makes up only 2.7% of the General Fund. The State of New Mexico's recurring General Fund Operating Budget for FY24 totaled \$9.57 billion, an increase of \$1.27 billion, or 13.9%, over the FY23 operating budget. Despite this growth, the Judiciary's share of the FY24 budget shrank to a 2.6% of general fund appropriations.

The August 2023 Consensus General Fund Forecast indicates recurring revenues for FY25 are estimated at \$3,931 billion; the General Fund totaled \$12,607 billion in FY24. The General Fund is expected to grow 3.5% in FY25.

The Judiciary's unified budget overwhelmingly consists of personnel costs.

More than 90% of the general fund budget goes to the salaries of judges and non-judicial staff, along with health, pension, and other fringe benefit costs.

"Over the past year we hoped to return to 'normal' and instead we got a 'new normal.' Everyone in the Judiciary has demonstrated extraordinary resilience and courage in the face of unpredictable challenges that you have overcome to improve how we serve people. You manifest the spirit in words spoken by Theodore Roosevelt, 'Do what you can, with what you have, where you are.' I sincerely thank all of you in the Judiciary for all you do." - Artie Pepin, AOC Director

Legislative Branch

■ House of Representatives

- 70 members
- Elected every 2 years
- Speaker of the House

■ Senate

- 42 Senators
- Elected every 4 years
- President Pro-Tempore



Legislative Branch

- The legislature convenes in Santa Fe each year on the third Tuesday in January.
 - Sessions last for 60 days in odd number years
 - Sessions last for 30 days in even number years
- For additional information go to:
<http://legis.state.nm.us/lcs/default.asp>

Judicial Branch

- Approximately 2015 employees including approximately 203 Judges
- Consists of 5 different court systems
- Presided over by:

Chief Justice David Thompson

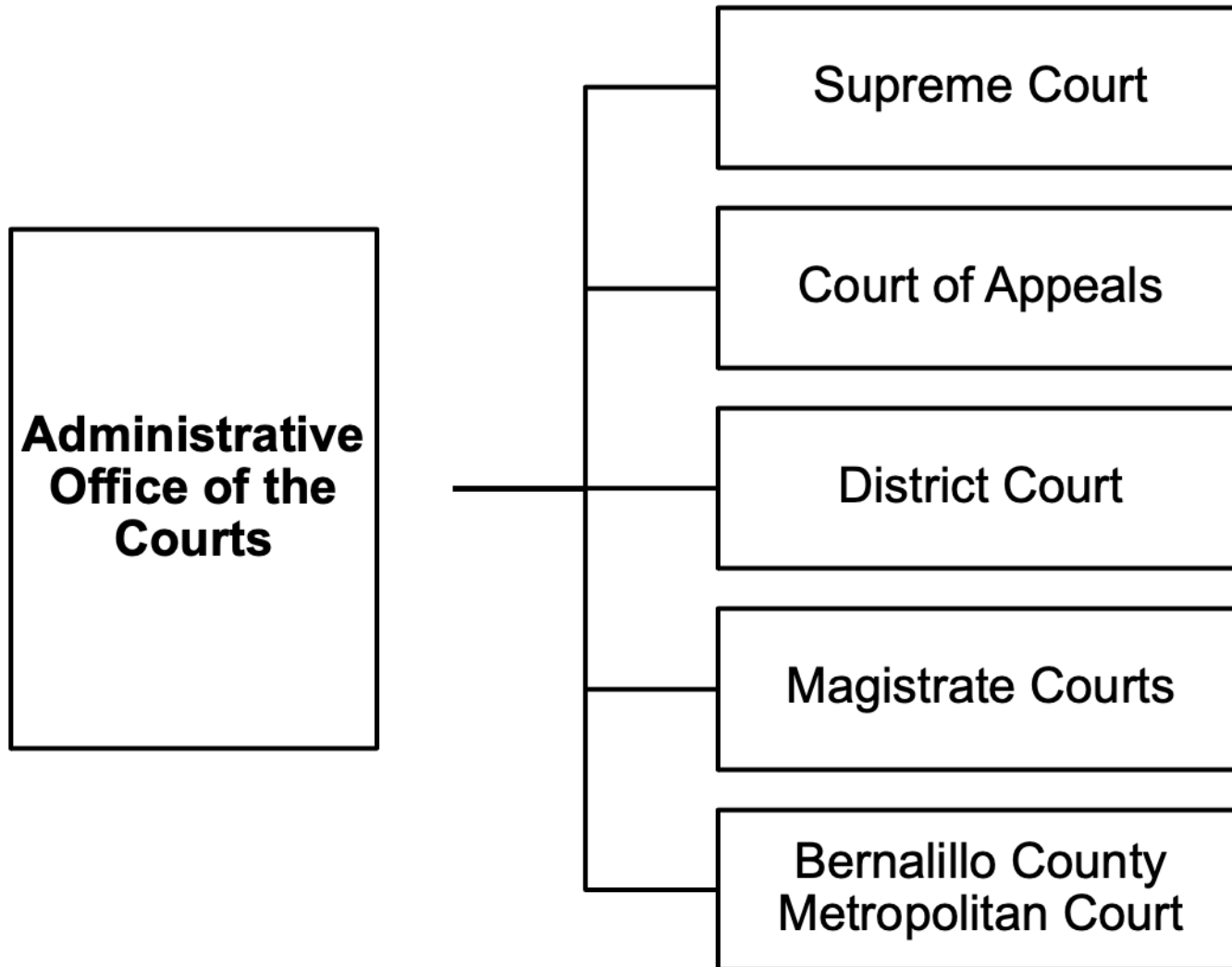
April 17, 2024

- NM Courts Website:

<http://www.nmcourts.gov>



Judicial Branch Court Structure





Municipal Court and Probate Court

(not a part of the judiciary)

- **Municipal Courts are courts of limited jurisdiction and are city courts.**
- **Probate Courts are courts of limited jurisdiction and are county courts.**

Supreme Court – 5 Justices

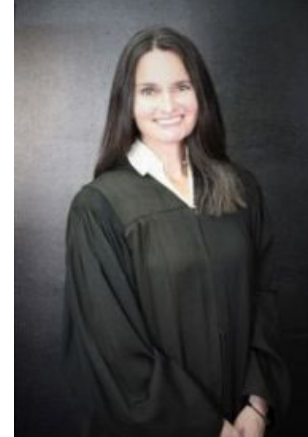


The Supreme Court is comprised of five Justices who serve 8-year terms. Senior Justice Michael E. Vigil, Justice Julie Vargas, Justice Briana Zamora, Justice C. Shannon Bacon, and Chief Justice David K. Thomson.

Supreme Court

- The NM Supreme Court is the highest court of the Judicial Branch of State Government.
- The Court's duties include deciding cases, exercising supervisory control over all other courts, and regulating attorneys licensed to practice law in New Mexico.

Court of Appeals – 10 Judges



Chief Judge Jennifer L. Attrep, Judge Jacqueline R. Medina, Judge Megan P. Duffy, Judge Katherine Wray, Judge Zachary A. Ives. Judge J. Miles Hanisee, Judge Kristina Bogardus, Judge Jane Yohalem, Judge Shammara Henderson, Judge Gerald Baca.

Court of Appeals



- This Court hears appeals on decisions made on cases and resides under the NM Supreme Court.
- The jurisdiction of the Court of Appeals covers the entire state of New Mexico.

13 District Courts

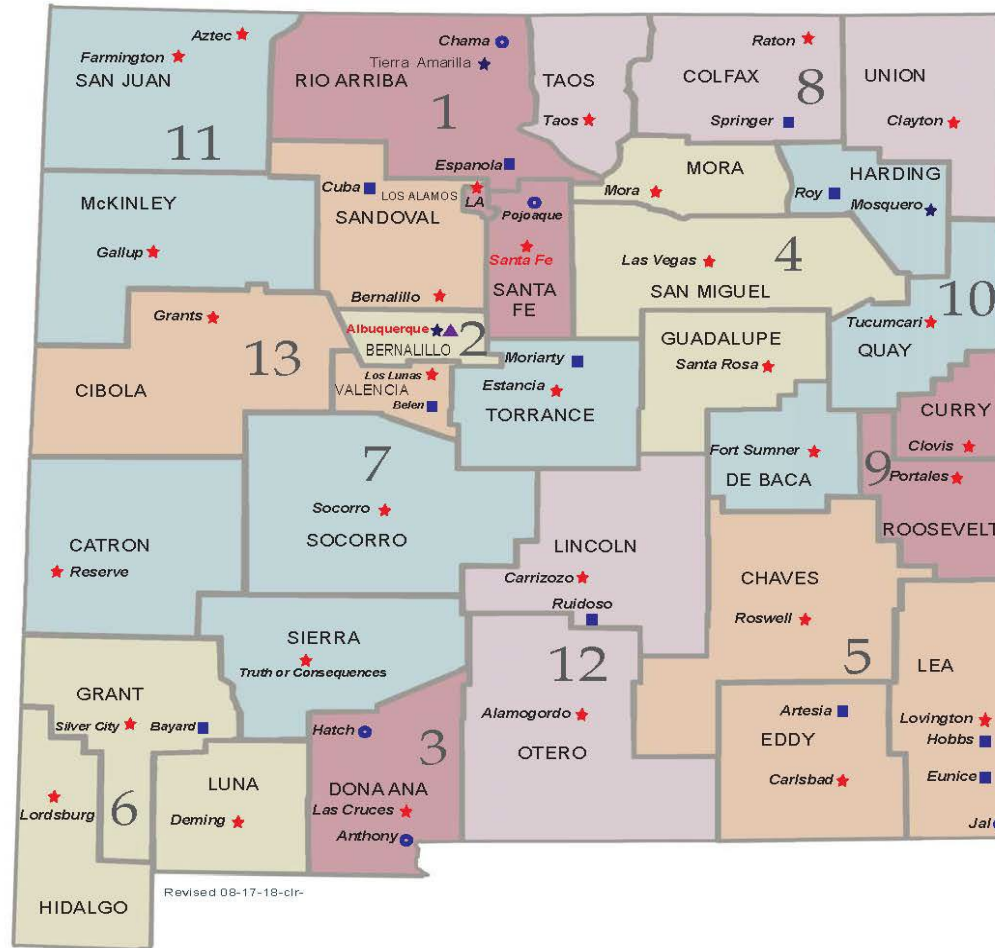
- There are thirteen (13) District Courts in New Mexico and one-hundred-two (102) District Court Judges.
- District courts have general jurisdiction and hold jury trials. This court will hear the following types of cases:
 - Tort
 - Real property rights
 - Exclusive domestic relations
 - Miscellaneous civil jurisdiction
 - Appeals (admin agencies and magistrate appeals)
 - Mental health
 - Estate
 - Contract

Exclusive criminal appeals jurisdiction; Exclusive juvenile jurisdiction.

54 Magistrate Courts

- There are Fifty-Four (54) Magistrate Courts in New Mexico and sixty-seven (67) Magistrate Judges.
- These are courts of limited jurisdiction and conduct jury trials. This court will hear the following types of cases:
 - Tort
 - Contract / Civil
 - Landlord / Tenant rights (\$0 to \$10,000)
 - Felony preliminary hearings
 - Misdemeanor
 - DWI / DUI and other traffic violations
- No juvenile jurisdiction
- No criminal appeals

NEW MEXICO STATE COURTS



Supreme Court
Santa Fe
Court Of Appeals
Santa Fe & Albuquerque

- ★ District & Magistrate Courts
- ★ District Courts
- ▲ Bernalillo County Metropolitan Court
- Magistrate Full Courts
- Magistrate Circuit Courts

Judicial District Courts by County:

1st	2nd	3rd	4th	5th	6th	7th
Los Alamos Rio Arriba Santa Fe	Bernalillo	Doña Ana	Guadalupe Mora San Miguel	Chaves Eddy Lea	Grant Luna Hidalgo	Catron Sierra Socorro Torrance
8th	9th	10th	11th	12th	13th	
Colfax Taos Union	Curry Roosevelt	De Baca Harding Quay	McKinley San Juan	Lincoln Otero	Cibola Sandoval Valencia	

Bernalillo County Metropolitan Court

- There are nineteen (19) Bernalillo County Metropolitan Court Judges. This court has general jurisdiction and holds jury trials. This court will hear the following types of cases:
 - Tort
 - Contract
 - Landlord / Tenant rights (\$0-\$10,000)
 - Felony first appearances
 - Misdemeanor
 - DWI / DUI and other traffic violations
 - Domestic Violence



Administrative Office of the Courts (AOC)

❖ The AOC exists to enable the courts of New Mexico to accomplish their mission through:

1. Ensuring that the courts have adequate, equitably distributed resources;
2. Ensuring that the courts have and use current technology;
3. Providing a fair and equitable statewide human resources system;
4. Developing and implementing improved court processes and supporting courts in their use;



Administrative Office of the Courts (AOC)

5. Collecting and providing information on and for the courts managing and accounting for the collection of revenue;
6. Ensuring sound financial, budgeting and procurement practices in the management of court resources;
7. Providing administrative support; and
8. Maintaining liaison with legislative and executive branches of state government.



Additional areas within the Judiciary:

- Compilation Commission
- Judicial Standards Commission
- Supreme Court includes the:
 - NM State Law Library
 - Building Commission

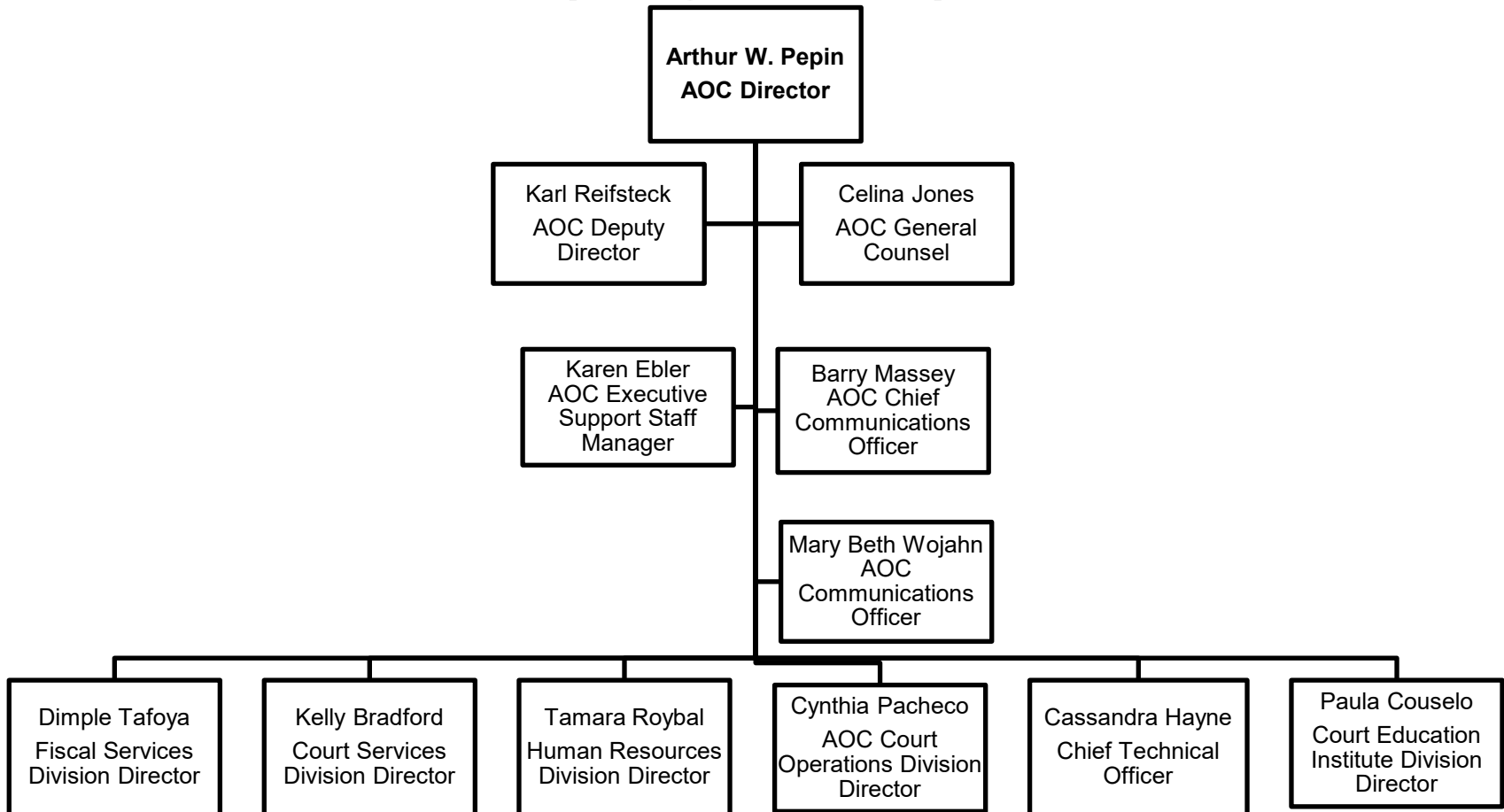
Administrative Authority

- What is an Administrative Authority?

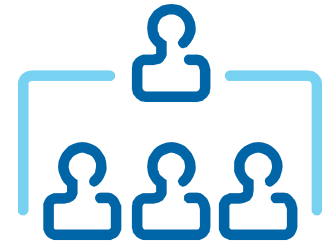
Individual or designee with the primary responsibility to supervise and coordinate the administration of a Judicial Entity, or as designated by the Chief Judge and approved by the Supreme Court Order.



AOC Organizational Chart (Org Chart)



Chain of Command (Organizational Chart)



- There may come a time when you have questions and/or concerns regarding your employment.
- You should follow the chain of command and consult with your Supervisor to address those concerns, questions, issues, etc.
- If your Supervisor cannot answer your questions please work with your Human Resources Administrator.
- There are several layers of management who are responsible for addressing your concerns rather than going directly to senior management.
- Complaints related to harassment, discrimination & retaliation **do not** need to follow the chain of command and should go directly to HR as HR is not in the chain of command.

Questions?





Administrative Office of the Courts

New Employee Orientation Class Training Module 2

Class Agenda / Training Modules

- Training Module 1 -
Structure of the
Judiciary and
Background of the AOC
- **Training Module 2 -
NM Judicial Branch
Personnel Rules Part I &
II and NM Judicial Branch
Code of Conduct**
- Coronavirus
- NM Judicial Branch
Response to Coronavirus
- Training Module 3 -
Loss Control, Fraud
Reporting, Drug & Alcohol
Prevention & Testing, &
Computer and Internet use
- Training Module 4 -
Harassment,
Discrimination, and
Retaliation Prevention
- Training Module 5 -
Benefits Overview
including PERA and Payroll

Where to find the New Mexico Judicial Branch Personnel Rules (NMJBPR), Personnel Policies, including the Code of Conduct

The Personnel Rules Part I and II; General Policies and the Code of Conduct can be found on the website at:

<http://inside.nmcourts.gov>

Visit our website to view all NM Judicial Branch Policies



Acknowledgement
form 1.A

What is the difference between the New Mexico Judicial Branch Personnel Rules (NMJBPR), Part I and Part II ?



Part I – Rules apply to Classified or Term employees.

Part II – Rules apply to Temporary or at-will (appointed) employees.

Glossary of Terms is for both Part I & II
Just Cause: Definition



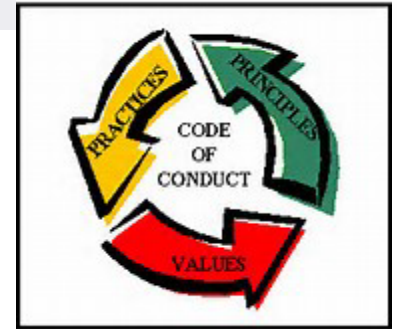
Rules vs. Policies

- Rules are the foundation upon which the policies are based.
- Policies are the “how to” of following the rules.



Code of Conduct

Adopted 2/9/2010



- The **Code of Conduct** is broken into **5 Canons** or principles governing employee conduct.
- The **Code of Conduct or Canons** provides uniform standards for all Judicial Employees to follow (other than Judges).
- Violations of the Code are to be enforced by each Court, and in the same manner as a NMJB Personnel Rules violation.

Code of Conduct – Canon 1

- **Independence & Integrity** - Judicial Employees are required to maintain high standards of conduct, integrity, honesty and truthfulness so that the independence of the Judicial Branch is preserved.



Code of Conduct- Canon 1

Examples might include:

- Mishandling court documents for your family members; or
- Not informing your supervisor regarding a case your family member is involved in.



Code of Conduct – Canon 2

- **Impropriety or Appearance of** - Judicial Employees are required to avoid impropriety and the appearance of impropriety in all their activities.



Code of Conduct – Canon 2

Examples might include:

- Must be in compliance with law & maintain Public Confidence; or
- Shall not accept gifts & extra compensation. (exception: gifts of food); or
- Shall not abuse position by trying to use influence over others or secure special privileges; or



Code of Conduct – Canon 2

Examples might include:

- Shall use resources, property and funds in a judicious manner and in accordance with Statutes, Policies & Procedures; or
- As an employee, keeping jury fees or witness fees.



Code of Conduct – Canon 3

Employees Shall Perform Duties Impartially & Diligently - Examples:

- Professionalism: Be respectful and courteous to employees, and the public.
- Impartiality: Be impartial, must not be influenced by personal relationships, such as family members and friends.
- Must not be influenced by prejudices and opinions.



Code of Conduct – Canon 3

Employees Shall Perform Duties Impartially & Diligently - Examples:

- Confidentiality: Do not disclose confidential information, or privileged information.
- Do not hide information that may be public record.



Code of Conduct – Canon 3

Examples might include:

- DO NOT GIVE LEGAL ADVICE.
- Maintain licensing & certifications.
- Do not remark on pending cases.
- DUTY TO REPORT: Employees must immediately report any violation or perceived violation by a Judge or Judicial Branch Employee.
- Employees must report any violation of the Code of Conduct / 5 Canons.

Code of Conduct – Canon 4

Outside Activities & Conflict of Interest

- Avoid all activities that reflect negatively on the Judicial Branch.
- Including outside employment, non-compensated activities, volunteering activities, self-employment.
- Must receive approval from the Administrative Authority.

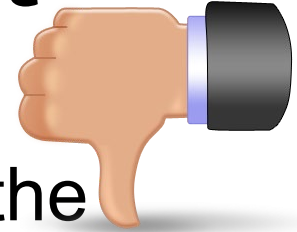


Outside Employment

(form required)

- Before an employee may engage in outside employment (including self employment), compensated or non-compensated activities, the employee shall complete an Outside Employment Approval Form.

Outside Employment



- Approval may be withdrawn anytime at the discretion of the Administrative Authority.
- Once approval has been granted, the Administrative Authority may request the employee to provide an updated Outside Employment Form and may approve or disapprove the outside employment.



Code of Conduct – Canon 5

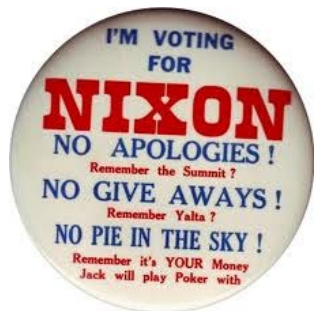
Refraining from Inappropriate Political Activities

- Employees are encouraged to VOTE.
- No campaign literature, buttons or signs are allowed on court property.
- Political Activity must be on employees own time.
- May not use Judicial Branch equipment.



Political Activity & Code of Conduct Canon 5

- Within this rule you will find guidelines associated with permitted political activity, prohibited political activity and candidacy for a public office.
- The rule of thumb is to be cautious with what you do in the work place, for example: wearing buttons, using official authority or influence, using supplies, compelling others to participate in political activity.



revised:
/17/2024

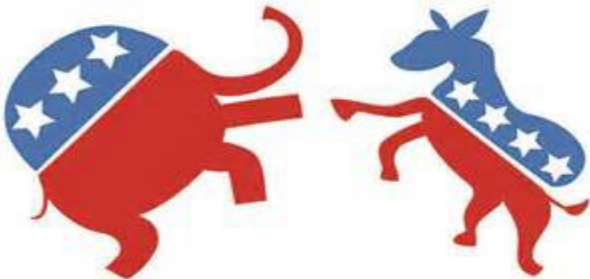
Code of Conduct - Canon 5

It's OK for...

- Judicial employees may be candidates for partisan & non-partisan elected office as set forth in NMJBPR;

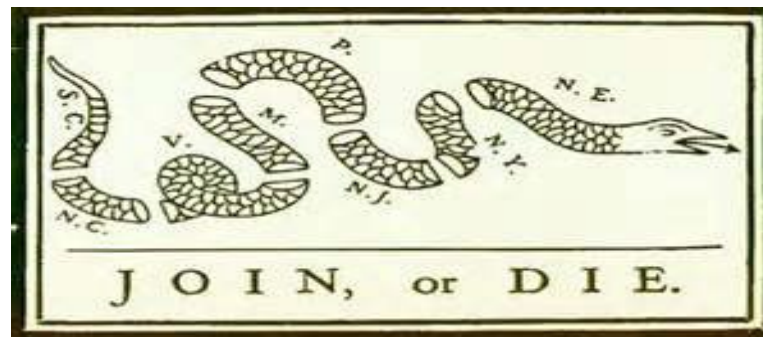
Judicial employees may also...

- Participate in judicial campaign activities, contribute funds, but only through a Judge's fund-raising committee.



Code of Conduct - Canon 5

- Judicial Campaign Activity - Judicial employees **shall not** be required as a condition of employment or otherwise to participate in political activities or be required to contribute funds for any political purpose.



New Mexico Judicial Code of Conduct for Judges

Judges within the New Mexico Judiciary are held to the New Mexico Judicial Code of Conduct for Judges enforced by the New Mexico Judicial Standards Commission.



<http://nmjsc.org/docs/Consolidated%20pdf%20of%20CJC.pdf>

Tuition Reimbursement Policy

Policy No. 2022.NMJB.202

Purpose

To provide tuition reimbursement for eligible employees for college or university classes related to a degree or program that has been approved as relevant to professional development and as an additional benefit to the educational leave currently provided by the NMJBPR.

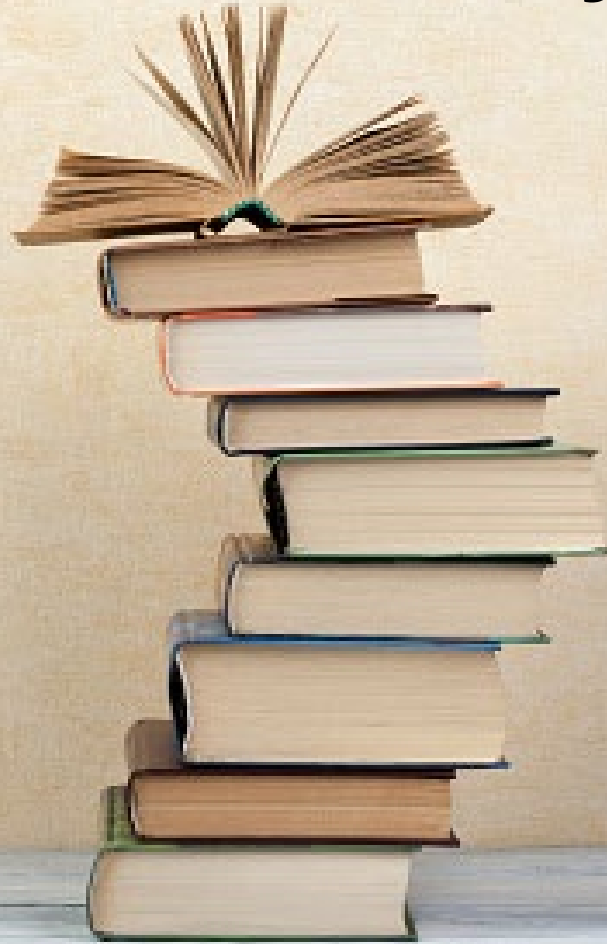
(Revised: 11/15/24, 12/20/23)



Tuition Reimbursement Policy

Policy

This policy is intended to provide an equitable system of encouraging and approving education reimbursement commensurate with the organization's objectives within the confines of the judicial entity's financial capacity.



Tuition Reimbursement Policy

- Education reimbursement requests will be approved and administered in an equitable manner, without regard to race, color, religion, sex, age, disability, or any other status protected by law.
- Managers and supervisors are responsible for approving appropriate training and skill development activities, which will assist in building a competent and productive workforce.



Tuition Reimbursement Policy

Factors when reviewing requests

RELEVANCE

The degree of need and job relevance of requested training or education;

FUNDS

Budgeted funds available and the number of requests for that budgetary year;

WORKLOAD

Workload, service consideration, and/or a flexible work schedule to ensure coverage;

CONCURRENCE

Concurrence with the employee's development plan;

MANDATORY

Whether the course requested is for mandatory continuing education; and

OTHER

Other considerations necessary to accomplish priorities and objectives.

Tuition Reimbursement Policy

Eligible Expenses

- A. Eligible Employees may be reimbursed up to 100% of tuition costs for college and university classes that have not been paid by any other source. In no event will Eligible Employees be reimbursed more than \$5,250 per calendar year.



The AOC will be limiting the reimbursement amount to no more than \$2,600 per fiscal year, per employee, up to two classes per semester, and there will be a limit of \$20,000 total per fiscal year for Tuition Reimbursement for all AOC employees.

Tuition Reimbursement Policy

Eligible Expenses

B. Eligible Employees will not be reimbursed for any other associated fees.

C. Classes eligible for reimbursement include those that develop critical skills and knowledge in furtherance of the work and mission of the judiciary.

D. A maximum of two classes per semester per Eligible Employee may be reimbursed.

E. Eligible classes are classes taken for credit. Classes may be taken for a grade or a pass/fail basis.



Tuition Reimbursement Policy

Eligible Expenses

F. The Administrative Authority may limit the total amount of tuition reimbursement received by Eligible Employees of their judicial entity on an equitable basis within the provisions of this policy.

G. When the number of requests for tuition reimbursement is greater than available funds, partial assistance may be considered to allow greater employee participation.



Tuition Reimbursement Policy

Eligibility

- A. Full-time permanent** and **term employees** who have completed the one-year probationary period and **at-will employees** who have completed one-year of service may be eligible for tuition reimbursement.
- B. Part-time employees** who have completed one (1) year of service may be eligible for tuition reimbursement on a prorated basis.
- C. Temporary** and **probationary** employees are **not** eligible.



Tuition Reimbursement Policy

Requesting Reimbursement of Eligible Expenses

Requests for reimbursement of Eligible Expenses will be reviewed one semester at a time and must be submitted at least 30 days in advance of the start date of the class.

Upon successful completion of the class, the Eligible Employee may submit their proof of successful completion for reimbursement provided the Eligible Employee is still employed by the judicial entity for which the tuition reimbursement was approved.



Successful Completion of
Undergraduate Coursework = "C" or better
Graduate Coursework = "B" or better
OR
If applicable a "Pass" in a pass/fail class

Tuition Reimbursement Policy

Requesting Reimbursement of Eligible Expenses

- I. An eligible employee seeking tuition reimbursement must use the NMJB Tuition Reimbursement Form prior to enrollment in the class.
- II. Reimbursement requests with a copy of the grade attached and a receipt or statement from the college or university showing proof of payment must be submitted within 30 days of completion of the class. Paperwork not submitted in a timely fashion may result in non-payment.
- III. Supervisors and managers shall review requests to ensure that the employee is eligible for the requested tuition reimbursement benefit; that the appropriate documentation has been submitted; and workload, coverage and program priorities have been considered, and then following their approval, provide to the Administrative Authority for approval.

COVID-19 Endemic Guidance

The CDC has recently relaxed their 5-day isolation guidelines for testing positive for COVID-19, and have categorized COVID-19 as a respiratory virus such as the flu and RSV.

- Employees and Judicial Officers who have COVID-19 or other respiratory virus symptoms, as defined by the CDC, should stay home and away from others.
- When symptoms are improving, and fever has subsided for a period of 24 hours without the use of medication, the employee may return to work but should use added precautions around others for a period of 5 days.



COVID-19 Endemic Guidance

Added precautions are:

-  ***Wear a mask***
-  ***Physical distance***
-  ***Wash your hands well and often***
-  ***Take steps for cleaner air***

COVID-19 Endemic Guidance

Respiratory Virus Guidance Snapshot

Core prevention strategies



Immunizations 	Hygiene 	Steps for Cleaner Air 	Treatment 	Stay Home and Prevent Spread*
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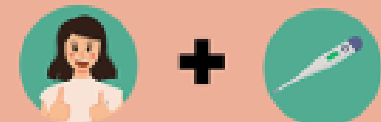
Additional prevention strategies

Masks 	Distancing 	Tests
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Layering prevention strategies can be especially helpful when:

- ✓ Respiratory viruses are causing a lot of illness in your community
- ✓ You or those around you have risk factors for severe illness
- ✓ You or those around you were recently exposed, are sick, or are recovering

***Stay home and away from others until, for 24 hours BOTH:**



Your symptoms are getting better



You are fever-free (without meds)



Then take added precaution for the next 5 days

Professionalism ~ Dress Code

Speak to your direct supervisor regarding the dress code for your division or court.

- Employees are expected to dress appropriately for their position. Employees must wear clothes that fit appropriately and maintain good personal hygiene.
- The following are examples of inappropriate work attire.
 - Low or midriff tops
 - Jogging or exercise clothes
 - Shorts
 - Overly tight and/or loose



Compensation - Pay

No pay for hours not worked.

NOTE: Can't be paid more or less than the pay range assigned to the job classification.



Compensation

Pay System - State Board or Commission Membership

- Employees may be paid for attending meetings or transacting business while serving on a board or commission.
- Requires Administrative Authority approval.
- May not affect the employees performance of duties.



Compensation-Overtime, Holiday, Shift Differential, Stand-by Pay

Overtime Pay

- An FLSA non-exempt employee receives compensation at time and one-half for hours worked over 40 hours in a work week.
- An FLSA exempt* employee may receive compensation at straight time for hours worked over 80 hours in a pay period.

Reminder – all FLSA non-exempt hours worked in excess of 40 hours in a work week may result in overtime, and REQUIRES PRIOR APPROVAL from supervisor and Administrative Authority.

* Excluding FLSA Exempt At-Will employees.

Compensation-Overtime, Holiday, Shift Differential, Stand-by Pay

Shift Differential

- An employee assigned to work a scheduled shift at the request of the Administrative Authority between the hours of 6:00 p.m. and 7:00 a.m. and who works during this timeframe, shall receive shift differential pay. (Amended 08/01/10; 07/01/19, amended 5/13/23)
- The *scheduled shift* must be assigned to the *employee* in advance of it being worked, and for a duration exceeding one pay period for it be eligible for shift differential pay. (Added 5/13/23)
- All *employees* eligible for *shift differential pay* within a *judicial entity* shall be paid the same *shift differential pay* rate, unless approved by the Director. (Added 08/01/10; amended 09/10/21)
- *Shift differential pay* shall be no more than \$3.00 per hour in addition to the regular rate of pay for the hours worked between 6:00 p.m. and 7:00 a.m. and shall be at the discretion of the *Administrative Authority* (Added 08/01/10; Amended 07/01/14; 07/01/19; 09/10/21)

Reminder – all FLSA non-exempt hours worked in excess of 40 hours in a work week may result in overtime, and REQUIRES PRIOR APPROVAL from supervisor and Administrative Authority.

* Excluding FLSA Exempt At-Will employees.

Revised: 4/17/2024

Compensation: FLSA exempt At-will

- TCAAs & Appellate Paralegals, CEOs, At-Will Attorneys, Law Clerks, & all other FLSA exempt At-Will employees:
- **Do not / may not** accrue compensatory time
- May flex out time in the 2 week pay period only
- Must enter extra hours worked into SHARE for tracking purposes only

Example: Non-Exempt vs. Exempt At-will employees

■ **Bailiffs & Court Monitors – FLSA Non-Exempt:**

Accrue comp time for hours worked over 40 in a week; requires Chief Judge / Administrative Authority approval.

■ **TCAAs - FLSA Exempt:**

DO NOT accrue comp time; 80 hours in a pay period. (Change eff 10/5/17).

Compensation

Overtime Hours Worked

- Upon transfer to another judicial entity FLSA non-exempt employee's compensatory time must be paid out, or will be accepted by the receiving Judicial Entity.
- Employees may not have a balance of more than 80-hours of compensatory time at the end of the calendar year, except with written approval from the Administrative Authority.



Compensation

Holiday Pay

- Annually the Chief Justice announces the observed paid holiday schedule.
- Classified Exempt and non-exempt employees who work on a designated observed holiday receive double-time and one-half compensation in compensatory time. Employees must receive prior approval before working on an observed holiday.



Leave Without Pay & Holiday Pay

An *employee* shall receive *holiday pay* on *observed holidays* that the *employee* does not work provided the *employee* was in a pay status, for no less than one hour, on the *employee's* last scheduled workday before the *holiday* and the *employee's* first scheduled workday after the *holiday*.



Compensation

Certified Bilingual Pay

- An Administrative Authority may approve an increase of \$1.00 per hour in addition to base pay for a certified bilingual employee.
- Requires annual re-approval by the Administrative Authority.
- Must meet court needs, for example small court may not need several certified bilingual employees.
- Must meet Language Access Certification Program requirements.



Recruitment, Selection & Appointment

Nepotism

A. No person shall be appointed, transferred, or promoted to a position and no *employee* shall hold a position in a *judicial entity* if that person or *employee* will be within the chain of *supervision* of a *family member*, *household member*, *domestic partner* or a person the *employee* is in a relationship with.



(Amended 8/01/10, 5/13/23)₄₈

Recruitment, Selection & Appointment

Nepotism

B. No person shall be appointed to a position and no *employee* shall hold a position in a *judicial entity* in which a *family member, household member, or domestic partner* is an elected or appointed judge or justice.

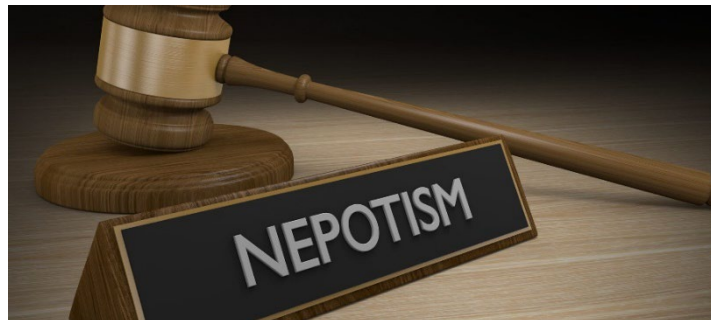
C. No person shall be appointed to a position or hold a position in the Supreme Court, AOC, Compilation Commission, Building Commission, or Law Library when a *family member, household member, or domestic partner*, is a Supreme Court Justice.

(Amended 8/01/10, 5/13/23)

Recruitment, Selection & Appointment

Nepotism

- A person cannot hold a position in a *judicial entity* if that person is a *family member, household member, domestic partner*, or a person the **judge** or **justice** is in a relationship with.
- A **judge** or **justice** must be aware that a person cannot hold a position in a *judicial entity* if that person is a *family member, household member, domestic partner*, or a person the **judge** or **justice** is in a relationship with.





Recruitment, Selection & Appointment

Nepotism

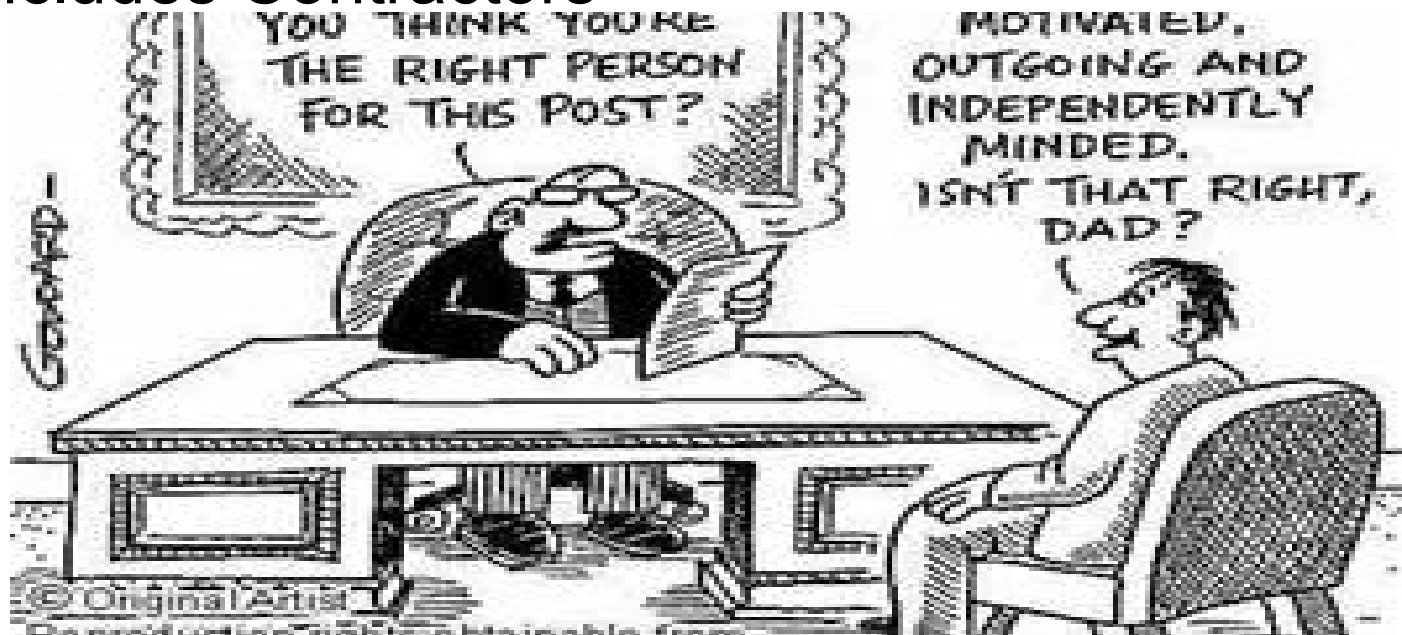
D. If an *employee* is in one of the above prohibited positions, every effort will be made by the *Administrative Authority* to transfer the affected *employee* to a comparable position for which the employee qualifies within the *Judicial Branch*. If a like position is not available, then the affected *employee* shall resign or be terminated.

Recruitment, Selection & Appointment

Nepotism

- Code of Conduct – Also states it is NOT ok to advocate or recommend for employment any family member, household member or domestic partner.

*Includes Contractors



Probation & Career Status within the Judiciary

- A probationary period of one year is required for an employee appointed or hired into a classified permanent or term position.
- Calculation of the probationary period shall include all continuous employment in a permanent or term position within the Judiciary.
- During the probationary period, the employee may be terminated without advance notice and shall have no rights to grieve the termination.
- At-will employees do not serve a probationary period.

Probation

Any time worked as an At-Will or Temporary employee shall not be counted towards calculating the probationary period.



Leave & Holidays

To establish the procedure for accruing, accumulating and using leave.



Types of Leave

POLICIES

- Administrative
- Leave Without Pay
- Educational
- Family Medical
- Donated Leave
- Inclement Weather
- Paid Time Off (PTO)
- Bereavement
- Military
- Family Educational
- Physical Fitness
- Voting
- Court
- Holidays
- Caregiver Leave
- Parental Leave



Administrative Leave

- Administrative leave may be granted by the Chief Justice.
- If Administrative leave is granted for a period of time rather than for a specific day, it must be pre-approved by the immediate supervisor prior to being taken.
- An Administrative Authority may not grant more administrative leave to supplement a holiday or administrative leave granted by the Chief Justice.



Administrative Leave

An Administrative Authority may grant up to 80 hours of administrative leave in a calendar year for an employee to participate in the Employee Assistance Program (EAP), counseling, or drug and alcohol rehab program.



Inclement Weather Policy

Leave may be granted when unsafe road conditions to or from the Court exist.

- When inclement weather exists in your area, you are instructed to tune in to your local news and/or radio stations for updates.
- Closure and/or delay may be independent or may follow your local school district- depends on your Court.
- Employees who are teleworking or on an approved telework schedule the day of a delay would not be granted leave for the delay.



Inclement Weather Leave (INCWE)

Who is eligible for Inclement Weather Leave granted for a court closure?

- Employees who are on approved or scheduled leave do not get the administrative closure leave. An employee who is on approved or scheduled leave (including PTO for sick/medical leave) would not have been directly affected by the weather as they were already scheduled to be away from the court. Employees that were scheduled to work and were affected by the inclement weather attempting to travel to the court or home during the time frames of the designated court closure would be entitled to the Inclement Weather leave.

Inclement Weather Policy

What is a Essential Employee?


- Essential Employees perform duties that ensure necessary services will be provided.
- Determined by the Administrative Authority in advance.



Inclement Weather & Essential Employees

- Essential employees may still be required to report to work.
- Essential employees are paid regular time and receive hour for hour administrative comp time for time worked as an essential employee (contact AOC HRD or your HR Professional to enter on timesheet).
- Employees not designated as essential in advance will not be given administrative during a closure or delay.





AOC Closure and Delay Policy

Notice of Closure or Delay

Delays and closures will be announced to the public and posted on the Nmcourts.gov website whenever possible. The AOC will also alert employees who opt in by an electronic alert system whenever possible.

AOC Closure and Delay Policy

Delayed Opening

- **Marcy Street** – when Santa Fe Public Schools announces a delay for the entire school district;
- **Lomas** – when Albuquerque Public Schools announces a delay for the entire school district;
- **Rio Rancho** – when Rio Rancho Public Schools announces a delay for the entire school district;
- **Las Cruces** – when Las Cruces Public Schools announces a delay for the entire school district;
- An employee with a post of duty in a Judicial Entity – when that Judicial Entity announces a delay, or;
- When the Director or Director’s designee announces a delayed opening.

Revised:6/30/23

AOC Closure and Delay Policy

Closure

- **Marcy Street** – when Santa Fe Public Schools announces a closure for the entire school district;
- **Lomas** – when Albuquerque Public Schools announces a closure for the entire school district;
- **Rio Rancho** – when Rio Rancho Public Schools announces a closure for the entire school district;
- **Las Cruces** – when Las Cruces Public Schools announces a closure for the entire school district;
- An employee with a post of duty in a Judicial Entity – when that Judicial Entity announces a closure, or;
- When the AOC Director or Director’s designee announces a closure.

Revised:6/30/23

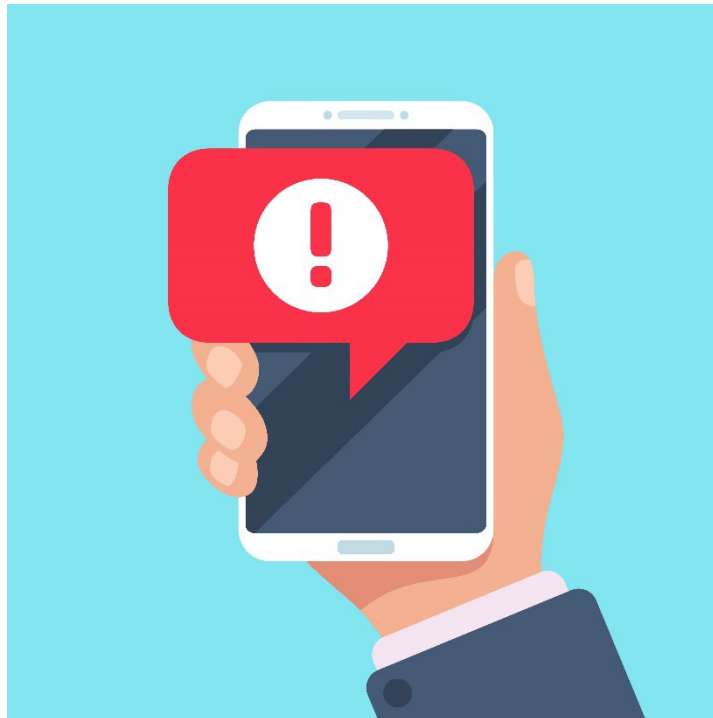
AOC Closure and Delay Policy

Travel

- Any employee scheduled to travel to a location other than their post of duty on the day of a delay at the travel location, shall report to their post of duty and consult with their supervisor before traveling.
- Any employee scheduled to travel to a location other than their post of duty on the day of a closure at the travel location, shall report to their post of duty.

RAVE Mobile Safety

The one-stop-shop for mass notifications or targeted communications!





RAVE Quick Startup Guide video



Voting Leave

- You may take up to two (2) hours voting leave for the purposes of voting.
- Does not apply when the employee's workday begins more than two (2) hours after polls open or ends more than three (3) hours prior to polls closing.
- Your supervisor may specify the hours.



Elections that are eligible for Voting Leave are:

- Only the following elections listed in statute would be eligible for paid voting leave:
 - General elections; - National, State & Local
 - Primary elections
 - Statewide special elections;
 - Elections to fill vacancies in the office of representative in Congress;
 - Local elections included in the Local Elections Act;

Elections that are eligible for Voting Leave are:

Only the following elections listed in statute would be eligible for paid voting leave:

- School district elections;
- Municipal officer or municipal bond elections;
- Special district officer or special district bond or other specific district elections;
- Elections of Indian nations, tribes or pueblos for a voter who is enrolled as a member of the Indian nation, tribe or pueblo and is qualified to vote in the election.

Elections that are not eligible for Voting Leave are:

- Elections for officers of water, fire, and sanitation districts, or political caucuses.
- Managers and supervisors are encouraged to work with their employees in allowing the use of accrued leave for time off for elections not covered under the NM Election Code.

Paid Time Off (PTO)

- Paid Time Off (PTO) became effective May 13, 2023.
- Employees will see in SHARE the combined PTO leave reflected in one leave accrual bucket titled “vacation.” To use PTO leave, use the time reporting code(s) for annual leave, which includes ANNLV for annual leave taken, and FMLAN for family medical leave paid annual.
- Employees’ sick leave balances will be reduced to zero and the corresponding balance will be transferred into the leave accrual bucket titled “vacation.” PTO may be used by an employee for what was previously defined as annual leave, sick leave, and personal holiday.

Paid Time Off (PTO)

- An employee's PTO accrual rate will be based on all time worked in state government, which includes time employed with the executive and legislative branches of government, the Public Defender's Office and the District Attorney's Office; the same as service credit was determined prior to the change to PTO.
- This accrual rate is the same for at-will and classified employees.
- The accrual rates are based on a pay period of 80 hours of paid time and are prorated for part-time employees.
- Employees who are absent without leave, on leave without pay, unpaid Family Medical Leave, or on any type of unpaid leave shall not accrue PTO leave for those unpaid hours.
- PTO leave may be accrued without limit.



Accrual of PTO Leave



Period of Employment	PTO hours earned per pay period	PTO hours accrued based on 2080 hours (full-time)
Day 1 – 3 years	9.0	234
Over 3 – 7 years	10.0	260
Over 7-14 years	11.0	286
Over 14 years and beyond	12.0	312

The PTO accrual rates are reflected in the employee's annual and sick leave accrual buckets in SHARE.



IMPORTANT:
Before You Continue...

Accrual of PTO Leave

IMPORTANT

Please inform AOC HRD or your District HR if you have prior State service with the Executive or Legislative Branch, including the District Attorney's & Public Defender's Office as those years count as service credit in calculating your PTO leave accrual.

IMPORTANT

PTO Leave



A leave request form must be submitted and approved by your supervisor in advance.

An *employee* may use PTO leave when approved in advance by the immediate supervisor unless advance approval cannot be obtained because of unforeseen circumstances, which might include taking PTO leave for the illness of the *employee* or a family member.



PTO Leave

If using PTO for an appointment or other situation known in advance, a leave request must be submitted and approved in advance by the supervisor.

Supervisors may request employees to furnish a medical provider's statement at any time when PTO leave use is in question.



PTO Leave



CALLING IN SICK

- When calling in sick, employees should speak to their direct supervisor or the next in their “Chain of Command” **a minimum of one-half hour prior to their scheduled shift, but discuss this with your supervisor. 24/7 operations may require a two hour notice.**
- However, if impossible due to a critical situation, employees should call in as soon as possible.
- NMJB Personnel Policies require eligible employees who have a qualifying medical condition and an absence of 3 or more days to be designated on FMLA.

Excessive Absenteeism or Leave Abuse ~ might be...

- If you have a pattern of calling in or requesting PTO as sick leave on certain days of the week.
- If you have a pattern of calling in or requesting PTO as sick leave prior to or following scheduled days off, holidays, weekends and paydays.
- If you had a request for PTO or another type of leave that was denied and you still call in sick for the same period.
- If you continually use your PTO as quickly as you earn it.
- If you have one instance of absence without leave.
- If you request Leave Without Pay because your PTO is exhausted.

PTO Donations

- Employees are not eligible if on Workers' Compensation.
- Must have exhausted all available leave.
- Must be on approved FMLA.
- Must be out on leave more than 3 days.
- May be used intermittently.
- No more than 160 donated hours per request, limited to a total of 3 requests during a 12-month period.
- Leave transfers on a dollar for dollar basis and, reverts back to donors when qualifying situation ends.

Worksite Wellness Including Self-Care and Physical Fitness Leave Policy

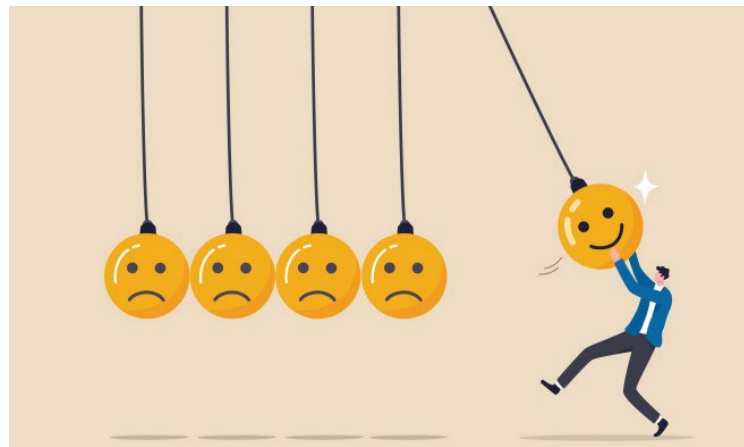
Purpose:

The NMJB supports a work environment that enhances employee effectiveness and overall well-being and health. This Policy is developed to promote and support the physical and mental well-being of NMJB officers and employees through a comprehensive worksite wellness program and increase employee health and productivity.



Mental Health Self-Care

The NMJB recognizes the benefits of *mental health self-care* in creating and maintaining a productive, healthy, and harmonious work environment and encourages each employee to take advantage of this provision to enhance their mental health



Mental Health Self-Care

Self-care encourages self-improvement. It promotes rest and relaxation, which benefits our overall health and wellness and it also promotes healthy relationships.

When our self-esteem and self-awareness improves, it has a positive effect on our overall mindset.



Mental Health Self-Care

- All Judicial Officers and employees (including at-will and probationary employees) may request one hour per workweek to engage in *Self-Care Wellness activities*.
- Employees who participate in *Self-Care* can request one hour of admin leave per week from their supervisor.
- *Self-Care* can occur at a regularly scheduled pre-approved date and time, or in response to high stress.

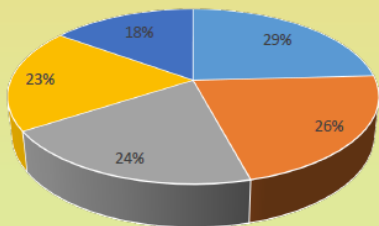
Holistic Employee Wellness Program



Why is Self-Care important in the workplace?

61% of employees are burned out on the job. (CareerBuilder)

The top five stress symptoms causing missed work days (CareerBuilder)
Stress Symptoms Causing Missed Work



- Fatigue
- Sleeplessness
- Aches and Pains
- High Anxiety
- Weight Gain

38% of wellness program participants said it helped them take fewer sick days. (HealthMine)

What an Effective Self-Care and Wellness Program Can Do...

- 61% of employees agree that they've made healthier lifestyle choices because of their company's wellness program. (Aflac)
- 62% of workplace wellness program participants said it helped them lower their healthcare costs. (HealthMine)
- Employees that participate in workplace wellness programs are more satisfied in their jobs (70%) than those who don't participate in their companies' programs. (Aflac)



- 91% of workers at companies led by leaders that support well-being efforts say they feel motivated to do their best at their jobs. (American Psychological Association)
- Of employers offering wellness programs, 67% reported increased employee satisfaction, 66% reported increased productivity, 63% reported increased financial sustainability and growth, and 50% reported decreased absenteeism. (IFEBP)



NEW MEXICO
JUDICIAL BRANCH
NMCourts.gov
(505)-827-4800



HOLISTIC EMPLOYEE WELLNESS PROGRAM



Daily Self-Care Techniques
for Mental Wellness and
Stress Reduction

NMCourts.gov



Self-Care for Resilience

Express Gratitude: Expressing gratitude to co-workers, friends and family triggers our brains to release the same feel-good chemicals as pleasurable activities like exercising and eating do.

Organize/improve your workstation/office: A clean, organized workspace has been linked to higher levels of productivity and mental clarity.

Try a walking meeting: Do you need to have a 5-10 minute meeting with a co-worker or supervisor? Consider taking a walk around the building while you talk. A change of scenery and fresh air can energize you and reduce stress.



Create a to-do list for work or home: Organizing your thoughts or tasks can allow you focus on the smaller tasks rather than focusing on a daunting project or busy day at work.

Yoga or stretching: Practice Yoga in your office. It doesn't need to be a defined Yoga pose, take a moment and slowly stretch your muscles and joints.

Progressive Muscle Relaxation:

Progressive muscle relaxation involves relaxing all the muscles in your body, group by group. Practice tightening and relaxing each muscle group, starting with your forehead and moving down to your toes.



Breathing exercises:

- Breathe in through your nose and watch your belly fill with air. Count slowly to three as you inhale. Hold for one second and then slowly breathe out through your nose as you count to three again.
- Breathe in through your nose and imagine that you're inhaling peaceful, calm air. Imagine that air spreading throughout your body. As you exhale, imagine that you're breathing out stress and tension.



Meditation: Meditation brings short-term stress relief as well as lasting stress management benefits. You might develop a mantra that you repeat in your mind as you take slow deep breaths. Or, you might take a few minutes to practice mindfulness, which involves being in the moment.

Watch/Listen to something that make you laugh or smile: Watch a short funny animals video online. Listen to a song that makes you smile. Disconnecting from a task that you are stuck on or is causing you stress can allow you to return with a fresh perspective.



Guided Imagery: Simply close your eyes for a minute and walk yourself through a peaceful scene. Think about all the sensory experiences you'd engage in and allow yourself to feel as though you're really there.

Physical Fitness Leave (FITWL)

It is the policy of the New Mexico Judicial Branch (NMJB) to allow each employee to request up to thirty minutes of physical fitness leave three times per week or forty-five minutes of physical fitness leave two times per week to participate in physical fitness activities.

The NMJB recognizes the benefits of physical fitness in creating and maintaining a productive, healthy, and harmonious work environment and encourages each employee to take advantage of this provision to enhance their physical fitness.





Flextime Schedule

- Flextime schedule must have prior approval by the supervisor and documented on appropriate Flex Schedule form.
- Employees must revert back to a regular work week of 5 days a week, 8 hours per day in the week a holiday falls.
- Part-time employees will receive holiday pay only if they are regularly scheduled to work that day.
- Part-time employees will be paid for the number of hours they would normally work on the day a holiday falls.

Flexing Time

- Must enter actual hours worked into SHARE, for example, if you work a Saturday instead of a Monday, you would code your time in SHARE as follows:
 - Saturday - 8 hours regular
 - Monday - 0 hours regular
- Serious problems occur when you do not accurately enter your time into SHARE, (Workers' Comp, audit exceptions, falsifying timesheets, etc.)

Just a note about FLEX Schedule



AOC's flex schedule is defined as any deviation from normal work hours & work days i.e., 8:00 a.m. to 5:00 p.m. with one hour for lunch - Monday through Friday.

Paid Bereavement Leave (BRVLV)

- Employees request through their supervisor
 - up to a maximum of five (5) work days of bereavement leave with pay to grieve the death of *an immediate family member*, sibling, or *domestic partner*.
 - up to a maximum of two *2 business days* of bereavement leave with pay to grieve the death of a *family member*.
- Time reporter code must be entered in SHARE by the Supervisor.

Paid Bereavement Leave (BRVLV)

□ NMJB Personnel Rules Definitions:

Immediate Family Member – A child for whom the *at-will employee* or *employee* has acted as a parent, regardless of the blood relation; biological parents or anyone who acted as a parent when the *at-will employee* or *employee* was a child; and husband or wife as defined under the laws of the state of New Mexico, and *domestic partner*. (Added 08/01/10; Amended 07/01/14)

Paid Bereavement Leave (BRVLV)

□ NMJB Personnel Rules Definitions:

Family Member - Is an individual who is the spouse or *domestic partner*, of, or is by blood, marriage / domestic partnership or legal adoption a parent, grandparent, great-grand parent, child (biological, adopted, or foster child, legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability as defined in the FMLA), grandchild, great-grandchild, brother, sister, uncle, aunt, nephew, or niece. (Amended 07/01/14; 07/01/19; 03/01/2021; 05/13/23)

Court and Jury Duty Leave

There are 2 types of Court Leave:

- Witness Leave and Jury Duty Leave.
- Submit a copy of the summons to HR & your Supervisor.
- Employees may not accept Jury or Witness fees for normal working hours.
- May retain reimbursement for per diem.



Educational Leave (EDLVR)

- May be used by classified, term, & at-will employees who have completed 1 year of employment.
- Must have completed their probationary period.
- Leave is for credit classes taken for a grade from an accredited institution.
- Must be pre-approved before classes start.
- Only for classes and travel time - not studying.
- Maximum of up to 4 hours per week.
- Employee must enter a comment on timesheet.



Educational Leave (EDLVR)

- Temporary and probationary employees not eligible.
- Prorated for part-time employees. (example: 20 hr. = 2, 30 hr. = 3, 40 hr. = 4)
- Employees must complete the Educational Leave Request form.



Family Educational Leave (ADMLV)

A full-time employee may be granted **up to 8 hours per** calendar year for an immediate family member's academic activities.

- Employee must request the leave in advance.
- Athletic events are not considered academic activities.
- Leave does not have to be taken in consecutive hours.
- Leave is not accrued leave and is forfeited upon separation.
- Leave is limited to the maximum 8 hours per calendar year regardless of the number of children or immediate family members of an employee.
- Employee must enter a comment on timesheet.

Family Educational Leave (ADMLV)

Allowed academic activities focus on academic enrichment and include, but are not limited to:

- Parent/Teacher conferences (PARTC), and
- Association meetings,
- Organized field trips, college orientations, school registrations, graduations, tutorial sessions and organized education programs.

Family Medical Leave Act (FMLA)

- The FMLA allows “eligible” employees to take job-protected unpaid leave for a period of up to 12 workweeks in a 12 month period or 480 hours.
- The employer will automatically place any eligible employee with a qualifying absence on FMLA.
- The time will be paid leave to the extent of the employee’s available PTO, and accrued compensatory time.
- The state continues to pay its portion of benefits if leave is unpaid.

FMLA
FMLA

Family Medical Leave Act (FMLA)

Employee eligibility:

- Must have worked for the State of NM for at least 12 months (need not be consecutive) in the past 7 years.
- Must have worked 1,250 hours during the 12-month period immediately preceding the start of leave.
- A part-time employee may be eligible on a pro-rated basis after meeting the above criteria. e.g., an employee working 30 hours a week is eligible for 360 FMLA hours, an employee working 25 hours a week is eligible for 300 FMLA hours.



Family Medical Leave Act (FMLA)

- Leave may be taken in one consecutive block of time **OR** on an intermittent basis.
- Upon return from FMLA, the employee is returned to their position or to one equal to it with equal pay & benefits.



Family Medical Leave Act (FMLA)

- The employee is responsible for maintaining the employee's portion of the insurance premiums to maintain coverage.
- The employee can maintain benefits through paid leave or provide payment to HR directly for insurance premiums on a bi-weekly basis.
- The employee's use of FMLA may not result in the loss of any employment benefit.



Family Medical Leave Act (FMLA)

Qualifying Reasons

- Birth or placement of a child.
- To provide care for a sick child, spouse, domestic partner, parent, or loco parentis with a serious health condition.
- For an employee's own serious health condition.
- Qualifying exigency.
- Military Caregiver Leave.



Family Medical Leave Act (FMLA)

Immediate Family Member



- **Immediate Family member:** a son or daughter who is biological, foster, adopted, stepchild, legal ward, or child for whom the employee has acted as a parent legally.
- **Biological Parents:** or anyone who acted as a parent when the employee was a child.
- **Spouse:** as defined under the laws of the State of NM.
- **Domestic Partner:** as defined under the laws of State of NM.

Family Medical Leave Act (FMLA)

Foreseeable Leave

When the need to take FMLA is foreseeable, employees should provide a 30-day advance notice to the employer, and submit completed FMLA paperwork.



Family Medical Leave Act (FMLA)

Unforeseeable Leave

- When the need to take FMLA is unforeseeable, employees must give employers as much notice as possible and practical.
- An employer may delay approval of FMLA coverage for the requested leave if the employee fails to provide a medical certification within 15 calendar days from receipt of the request for certification unless there are justifiable extenuating circumstances.



Family Medical Leave Act (FMLA)

Request Forms

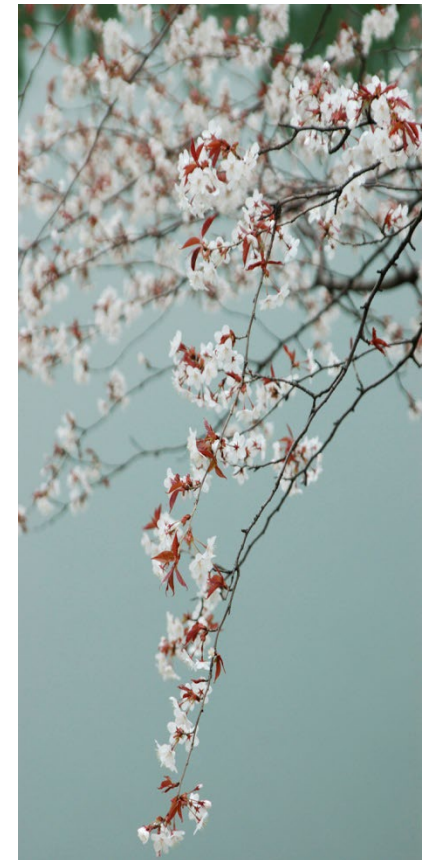
- FMLA Request Form must be completed by the employee.
- FMLA certification must be completed by the medical provider.
- All completed forms must be submitted to HR for determination.
- All forms available on the Judicial Branch website.



Family Medical Leave Act (FMLA)

Request Forms

- HR will inform the employee & supervisor within the designated time if FMLA leave is approved or disapproved.
- Employee's time off of work due to FMLA will be tracked. Employee must code all FMLA time with the appropriate time reporting codes (TRCs) on their timesheet.



Military Family Medical Leave (FMLA)

- *Exigent Circumstances Leave*
- *Military Caregiver Leave*
- *Contact HR for more information or questions*



Family Medical Leave (FMLA) & Holidays

- If an observed paid holiday occurs in a week of paid FMLA, the holiday is counted towards the FMLA.
- Administrative leave granted for holidays is also counted if the holiday is counted.
- If an employee is using FMLA in increments of less than one week, the holiday does not count against the employee's FMLA entitlement unless the employee was otherwise scheduled and expected to work during the holiday.

FMLA

Advantages & Requirements

Advantages	Requirements
<p>The State must maintain its portion of the employee's benefits (regardless if the employee is on FMLA unpaid).</p>	<p>Employer must notify the employee in writing (be specific & give dates) their WC leave will be counted as FMLA. (FMLA Policy Section 8. C.).</p>
<p>With a WC injury the employee must complete FMLA paperwork and the employer will designate leave as FMLA</p>	<p>ALL LWOP must have approval from Administrative Authority (ref. 5.12 & 19.12 and the Leave Policy)</p>

Can FMLA hurt me in my employment?

- NO! FMLA is a federal law designed to benefit all eligible employees. FMLA protects your job.
- FMLA cannot be counted against your work record and your manager/supervisor cannot retaliate against you for taking FMLA.
- Employee returns to same or equivalent job upon return to work.
- Will be required to submit doctors' release for own health issue.



Family Medical Leave (FMLA)

➤ Unpaid FMLA may affect your PERA service time and accrual of PTO. Leave is pro-rated when less than 40 hours a week is worked.



Why Automatically Designate Employees on FMLA?

- According to the US Department of Labor: An Employer **is prohibited** from delaying the designation of FMLA qualifying leave as FMLA leave.
- Once an eligible employee communicates the need to take leave for an FMLA qualifying reason, neither the employer **nor the employee** may decline FMLA.
- The employer may not delay designating leave as FMLA qualifying, even if the employee would prefer that the employer delay designation.



What is Considered
FMLA Serious
Health Condition



‘Serious health condition’ means an illness, injury, impairment, or physical or mental condition that involves:

- Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or
- A period of incapacity requiring absence of more than 3 calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a healthcare provider; or
- Any period of incapacity due to pregnancy or for prenatal care;



- **Any period of incapacity (or treatment thereafter) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy); or**
- **A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases); or**
- **Any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a healthcare provider for a condition that likely would result in incapacity of more than 3 consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis).**

Paid Parental Leave



- After one (1) full year of continuous employment in the Judicial Branch, excluding temporary appointments, a full-time employee is eligible to request up to twelve (12) weeks (480 hours) of Paid Parental Leave for use within the first six (6) months following the birth or adoption of a child(ren).
- Part time employees are eligible on a pro-rated basis
- Paid Parental Leave will run concurrently with leave eligible under the FMLA.
- Paid Parental Leave may not exceed 480-hours
- The Paid Parental Leave may be taken intermittently.

Paid Parental Leave



- Request the Paid Parental Leave using the approved form and supporting documentation thirty (30) days prior to the birth or adoption of the child(ren).
- Paid Parental Leave has no cash value, will not result in a payout benefit, and may not be donated or transferred to another employee.
- An employee may apply for short-term disability for qualifying events; however, an employee may not receive short-term disability at the same time as receiving Paid Parental Leave.
- If a holiday occurs while an eligible employee is taking full-time Paid Parental Leave, the employee will receive Family Medical Leave holiday pay (FMHOL), and the holiday will count towards the total twelve (12) week allowance.

Leave Without Pay (LWOP)

Must be approved before leave can be taken.

- LWOP in excess of 30 days is not counted towards probationary period - except for Military Leave or FMLA.
- Employee is responsible for maintaining their benefits (both employee and state portion when not FMLA).
- Employee will not accrue PTO.
- LWOP may affect PERA service time.
- FMLA Unpaid may affect PERA service time.
- Employee must request leave on the LWOP form.

UNAUTHORIZED LEAVE or Absence Without Leave (AWOL)

- An employee who is absent without leave from work is on unauthorized leave, and shall not be paid for that time.
- May face disciplinary action.
- Just Cause #27 – failing to report to duty w/o approved leave for 3 consecutive days (may be dismissed for just cause).



Military Leave

- Employees who are called to service shall be granted paid military leave in accordance with the Uniformed Services Employment and Re-employment Rights Act (USERRA), and in accordance with New Mexico Statutes and Rules, including, but not limited to NMSA 1978, Sections 20-4-7, 20-5-14, & 20-7-5.



Military Leave

- Employees must provide papers being called to service.
- Employees must be a member of the National Guard, a State Defense Force, a reserve component of the uniformed services of the United States, the Civil Air Patrol or who volunteers for such service.



Military Leave

- An employee who is on military leave with pay shall have the same rights and benefits as any other employee who is on leave with pay.
- The court may be authorized to temporarily fill a vacancy, and the employee may return to work as provided by law.
- Total of 30 days of paid military leave.



Performance Planning and Evaluation

*To evaluate an
employee's performance
based on the employee's
development plan.*



Performance Planning And Evaluation

- A new plan should be put in place within 90 days from your start date.
- Evaluations are done annually; probationary employees are done bi-annually.
- If an employee disagrees with an evaluation they have 10 business days to submit a written rebuttal to the immediate supervisor and that rebuttal shall become part of the entire evaluation.



Records Management, Inspection & Retention Of Personnel File

- AOC HRD maintains the employee files for 55 years following an employee's separation.

Inspection of Public Records is governed by the New Mexico Public Records Act.

- Employees can contact AOC HRD to make an appointment to view their personnel files.

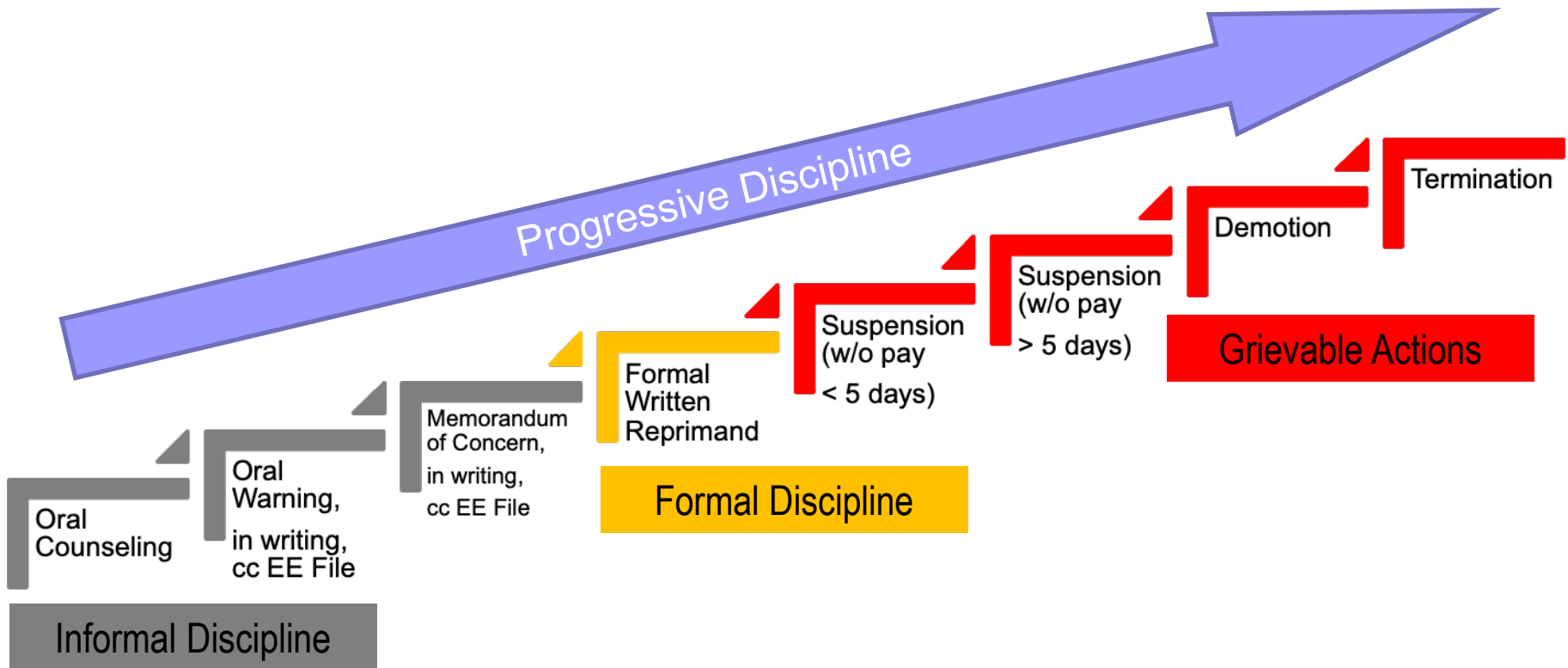


Discipline

- To provide constructive, progressive steps toward solving an employee's performance and/or behavioral problems.
- While discipline is a necessary management tool, we need to strive to supervise, direct, train and mentor all staff to better performance levels.



Progressive Discipline



Discipline

■ At-Will Employees

- ❖ An at-will employee who is disciplined under this policy has no grievance rights and may be dismissed at anytime for any reason.
- ❖ This includes Probationary employees.

■ Career Status Employees

- ❖ An employee who has completed probation and is suspended, demoted or terminated may file a grievance in accordance with the NMJBPR.

Discipline

Standards of Just Cause

NMJB Personnel Rules Glossary of Terms provides examples of just cause of performance and/or behavior relating to the employee's work that is inconsistent with the employee's obligation to the employer and forms the basis for discipline.

- #(29) Failing to immediately report to the Administrative Authority any misdemeanor or felony citations, arrests, and/or criminal charges filed against the employee, since becoming employed with the Judicial Branch.

Discipline

Standards of Just Cause

- #(31) Failing to immediately report to the Administrative Authority any civil litigation in which the employee or the employees family member is a party or participant.
- #(32) Failing to immediately report to the Administrative Authority any criminal charges filed or civil litigation pending against a family member which may be heard in the Judicial Entity in which the employee is employed, or with which an employee may have ongoing professional work relationship or communications.

Complaints

- Employees may file a complaint under Section 14 of the NMJBPR if they believe there has been a violation of the rules.
- Employees cannot file a complaint about a performance evaluation, any kind of disciplinary action, or a decision from the grievance board.



Mediation/Alternative Dispute Resolution (ADR)

■ What is Mediation or ADR?

- It is a chance for employees to talk and suggest ways to resolve issues/problems.
- Can be between co-workers or with supervisors.
- Takes place during work hours.
- It is confidential.
- It is fair and neutral.
- To request Mediation/ADR:

Contact your HR Professional



Americans With Disabilities Act (ADA)

- The purpose of the ADA is to eliminate discrimination against disabled individuals in housing, employment and public services.
- The ADA, under Title I, requires an employer to make reasonable accommodations for the **KNOWN** physical and mental limitation of **QUALIFIED** individuals.



ADA

To be considered disabled, the employee must meet the following requirements:

- **Physical or mental** impairments that substantially limit one or more of their major life activities,
- Have a record of such impairment, or
- Be regarded as having the impairment.



Reasonable Accommodation

- A reasonable accommodation is a change in the workplace, or in the way things are usually done, that provides equal employment opportunities for individuals with disabilities.

- **General Rule:** An employer provides a reasonable accommodation to a qualified individual with a disability if requested and if doing so does not pose an undue hardship.



Reasonable Accommodation



3 areas where employers may have to provide reasonable accommodations:

- Application/Interview Process
- Accommodations that enable an employee to perform their job or to gain access to the workplace (e.g. bathroom, cafeteria, etc.), or
- Benefits and privileges of employment.
 - *Mandatory or voluntary training/staff meetings*
 - *Employee sponsored programs, events etc.*

ADA

Generally the employee should ASK for an accommodation under the ADA. But there is no “magic” word and they do not have to say “accommodation” or “disability.”

The supervisor **SHOULD NOT ASK** if a health issue is affecting performance.

You may ask, “Is there any reason you want to tell me why you are having performance problems?”

If the employee **VOLUNTEERS** information, contact HR for assistance.



Reasonable Accommodation

- May include but not limited to:
 - Sign language interpreters,
 - Modifications to existing equipment and/or services,
 - Purchase/lease of new equipment to support disability or limitation,
 - Modification of workplace policies or guidelines,
 - Changes in the workplace environment (e.g. warning lights for evacuations),
 - Reassignment (and/or generally a last case resort option).



The Interactive Process

- In the interactive process the applicant or employee, health care provider and employer each share information about the nature of the disability and the limitations that may affect their ability to perform the essential job duties.
- It is a discussion about an applicant's or employee's disability.
- This discussion is the foundation of compliance with the Americans with Disabilities Act.
- Communication is key!

Americans With Disabilities Act (ADA)

**If you believe you may need an accommodation contact
your supervisor and HR.**



Americans With Disabilities Act (ADA) Title II

AOC ADA Title II Coordinators

Peggy Cadwell
Certified Title II ADA Coordinator
Email: aocpxc@nmcourts.gov

Annie Burkhart
Project Manager
Email: aocaxb@nmcourts.gov

ADA@nmcourts.gov
<https://www.nmcourts.gov/americans-with-disabilities-ada/>

Mission Statement:

The mission of the Office of the Statewide ADA Title II Coordinator is to improve access to the New Mexico State courts and all Judiciary programs, activities, and services for persons with disabilities.

The office of the Statewide ADA Title II Coordinator provides professional support and training to judges and court staff in the state, and in turn, serves as a vital public service. The office provides adequate access to current assistive technology and oversees the development and implementation of ADA policies.

ADA Title II: State and Local Government

A public entity covered by Title II of the ADA is defined as:

- Any state or local government
- Any state or agency of state and local government e.g. Colleges, universities, libraries, Senior Citizen Centers, etc.
 - Certain commuter authorities

Title II entities shall operate their programs so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities and they will:

- Provide all programs and services in an integrated setting
- Reasonable modifications in policies, practices, and procedures
- Furnish auxiliary aids and services to create effective communication (ASL interpreters, CART services, ALD, Scribing, etc.)
- Ensure that individuals with disabilities are not excluded because buildings are inaccessible

Requires that a public entity make its programs accessible to and useable by people with disabilities when viewed in its entirety. Program accessibility may be achieved by a number of methods in the most integrated setting of people with disabilities, which can include:

- Policy Modification/accommodation
- Effective Communication
- Architectural Access

Service Animals

State/local governments must allow service animals to go most places where the public can go. This is true even if they have a “no pets” policy.

Service Animals are:

- Dogs any breed and size (and miniature horses when reasonable)
- Trained to perform a task directly related to a person’s disability

Service Animals are **not**:

- Required to be certified or go through a professional training program,
- Required to wear a vest or other ID that indicates they’re a service dog,
- Emotional support or comfort dogs, because providing emotional support or comfort is not an active task related to a person’s disability.
- If the dog’s mere presence provides comfort, it is not a service animal under the ADA. But if the dog is trained to perform a task related to a person’s disability, it is a service animal under the ADA. For example, if the dog has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact, the dog is a service animal.

Service Animals

Asking if a Dog is a Service Animal

If you are working at a business or state/local government facility and it is unclear to you whether someone's dog is a service dog, **you may ask for certain information using two questions.**

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

You are *not* allowed to:

- Request any documentation that the dog is registered, licensed, or certified as a service animal, or
- Require that the dog demonstrate its task, or inquire about the nature of the person's disability.

Local District Title II ADA Coordinators

Supreme Court

Elizabeth Garcia supeag@nmcourts.gov
Lysette Romero Cordova suplrc@nmcourts.gov

Court of Appeals

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Samantha Gutierrez coasmg@nmcourts.gov

Bernalillo County Metropolitan Court

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Cheryl Thompson metrcat@nmcourts.gov

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Alison Orona albdayg@nmcourts.gov

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4th Judicial District

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Thank you!!!





Administrative Office of the Courts

New Employee Orientation Class Training MODULE 3

Class Agenda / Training Modules

- Training Module 1 -
Structure of the
Judiciary and
Background of the AOC
- Training Module 2 -
NM Judicial Branch
Personnel Rules Part I & II
and NM Judicial Branch
Code of Conduct
- NM Judicial Branch
Response to Coronavirus
- **Training Module 3 -
Loss Control, Fraud
Reporting, Drug & Alcohol
Prevention & Testing, &
Computer and Internet use**
- Training Module 4 -
Harassment, Discrimination,
and Retaliation Prevention
- Training Module 5 -
Benefits Overview including
PERA and Payroll

Training Module 3

Loss Control & Fraud Reporting



Acknowledgement
form 1.B – 1.G



AOC Loss Prevention and Control Committee Initiatives


- Provide a safe and healthy workplace.
- Review losses and develop ways to reduce future losses.
- Implement strategies to reduce loss.
- Include losses to property damages, bodily injury, employment related civil rights violations, other types of potential or actual liability covered by Risk Management.



AOC Loss Prevention and Control Committee Initiatives

Prevention of Loss includes the use of:

- Self-Inspection Audits
 - Office Safety Inspection Checklists
- Job related injury or illness claims management
Worker's Compensation Prevention training
- General Safety & FEMA Trainings



New Mexico Judiciary Financial Fraud Policy & Video

Fraud Prevention & Reporting Policy Statement:

- The New Mexico Judiciary is committed to protecting its revenue, property, information and other assets from any attempt, by members of the public, contractors, sub-contractors, agents, intermediaries or its employees, to gain by deceit financial or other benefits.



New Mexico Judiciary Financial Fraud Policy

Fraud Prevention & Reporting

- Any suspected acts of fraud, misappropriation or similar will be fully investigated.
- An objective and impartial investigation will be conducted regardless of the employee's or individual's position, title, length of service, or relationship with the New Mexico Judiciary.



What is Fraud???

Fraudulent acts covered under the New Mexico Judicial Branch Policy & defined by applicable law include but are not limited to:

- ❖ Forgery or alteration of documents Includes: checks, time sheets, contractor agreements, purchase orders, financial documents, electronic files, e.g., anything filed with the court.

What is Fraud???

Fraudulent acts covered under the New Mexico Judicial Branch Policy & defined by applicable law include but are not limited to:

- ❖ Embezzlement or misappropriation of funds, supplies or any other asset.
- ❖ Irregularity in the handling or reporting of money transactions done with malicious intent.
- ❖ Misappropriation of furniture, fixtures and equipment.



What is Fraud???

Fraudulent acts covered under the New Mexico Judicial Branch Policy & defined by applicable law include but are not limited to:

- ❖ Seeking or accepting anything of material value from vendors, consultants or contractors doing business with any judicial entity.
- ❖ Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Judiciary owned software.



What is Fraud???

Fraudulent acts covered under the New Mexico Judicial Branch Policy & defined by applicable law including but are not limited to:

- ❖ Any claim for reimbursement of expenses that were not made for the exclusive benefit of the judicial entity.
- ❖ Any similar or related intentional irregularity.
- ❖ Unauthorized use or misuse of Judiciary property, equipment, materials or records.

If you suspect Fraud...

- Any employee who has knowledge of an occurrence of irregular conduct, or has reason to suspect that a fraud has occurred, shall immediately notify their immediate supervisor.
- If the employee has reason to believe that the employee's supervisor may be involved in the suspected fraud, the employee shall immediately notify the entity's Chief Financial Officer and the Administrative Authority of the entity.



If you suspect Fraud...

- The employee shall not discuss the matter with anyone other than their immediate supervisor, the judicial entity's CFO, and/or Administrative Authority, and the local law enforcement agency if necessary.
- Employees who knowingly make false allegations will be subject to disciplinary action up to and including termination.



Reporting Procedures

- ❖ A Justice, Judge, at-will employee, or an employee should submit a clear, concise and relevant written complaint within a reasonable time not to exceed 90 calendar days from the most recent alleged related incident of fraud.



Reporting Procedures

- ❖ A complaint against a Justice, Judge, Court Executive Officer, CFO, Chief Appellate Court Clerk, or AOC Director shall be submitted directly to the AOC CFO.



Reporting Procedures

A complaint against an employee or outside person shall be submitted as follows:

- ❖ In the Supreme Court or the Court of Appeals - to the Chief Justice or Chief Judge.
- ❖ In a District Court, Magistrate Courts or the Bernalillo County Metropolitan Court - to the Chief Judge or Administrative Authority.
- ❖ In AOC - to the AOC Director or the AOC CFO.

Training Module 3

DRUG & ALCOHOL PREVENTION AND TESTING



Acknowledgement
form 1.B

Driving While Intoxicated (DWI) Policy

**Addresses DWI convictions
and duty to report.**

**Employees are required to
sign the acknowledgment form
and understand the policy.**

Driving While Intoxicated (DWI) Policy

Duty to Report

A Judicial Branch employee who is arrested for DWI **must** report the arrest within seventy-two 72 hours of the arrest.

Driving While Intoxicated (DWI) Policy

Duty to Report

Failure to report is just cause for termination.

If an employee doesn't report a DWI, and it gets dismissed, can they still be terminated?

Driving While Intoxicated (DWI) Policy

Duty to Report

Answer: Yes, failure to report is just cause for termination, regardless if the DWI is dismissed.

From the U.S. Centers for Disease Control and Prevention



1 in 5

deaths among working age adults (20-64) in New Mexico is attributable to alcohol .

-NMDOH, CDC Alcohol Fact Sheets

Additional Statistics

In a five-year study between 2016 and 2020, the state of New Mexico reflects:

- **17% increase in alcohol related deaths leading from 2019 to 2020.**
- **In 2020 1,878 deaths were due to alcohol in New Mexico.**
- **McKinley County leads the state at a rate of 205.4 deaths followed by Rio Arriba County at 145.5.**

****per capita or per 100,000 individuals***

Reference: New Mexico Department of Health (2022)

Additional Statistics

- NM's total alcohol-related death rate has consistently been ranked in the top three spots in the nation since 1981, more than two times the national rate.
- Ranked 1st place in the US from 1997 through 2010.
- Alcohol deaths peaked in 2020 at 86.6 (since 1990).
- In 2020 the national death rate was 41.5 per 100,000 population.

NMDOH 2020

Revised: 5/13/2024



To put that into context, an average of **FIVE** people **DIED EVERY DAY** of alcohol-related causes.

-NMDOH, CDC, ARDI

What does the Drug & Alcohol Policy mean to you?

The NMJB is committed to protecting the safety, health, and well-being of **all** employees and other individuals in our workplaces. Additionally, the NMJB is committed to carrying out the provisions of the Federal Drug-Free Workplace Act of 1988 (Public Law 100-690) by providing a drug-free work place for any person who is a Federal grantee or Federal contractor.

Illegal drug use, abuse of prescription drugs and alcohol use impairs employee productivity.



What is the cost of Substance Abuse?



In the workplace, substance abusers increase the risk of accidents, lower productivity and morale, and compromises the safety of employees.

Working at diminished capacity, these workers increase the workloads of others, compromise quality, and can tarnish the courts' reputation.

What are Consequences of Substance Abuse?



- Compared to their non-abusing coworkers, substance abusers are:
 - Ten times more likely to miss work.
 - 3.6 times more likely to be involved in on-the-job accidents.
 - Five times more likely to file a worker's compensation claim.
 - 33% less productive.

Ref: American Council on
Drug Education



Signs of Substance Abuse

“Performance” indicators that may be associated:

- ❖ Excessive absenteeism or tardiness.
- ❖ Lower productivity.
- ❖ Increased minor accidents or mistakes.
- ❖ Noted change in work quality



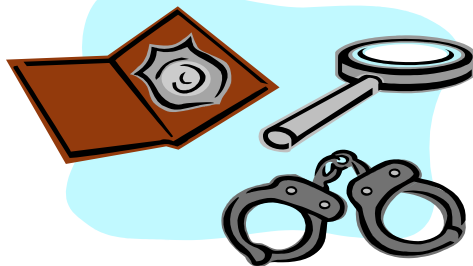
Signs of Substance Abuse

- **“Behavioral” indicators that may be associated:**
 - ❖ Erratic behavior, forgetfulness, indecision, can’t focus.
 - ❖ Takes less care in personal appearance and hygiene.
 - ❖ Frequently getting into trouble (fights, legal problems, accidents).

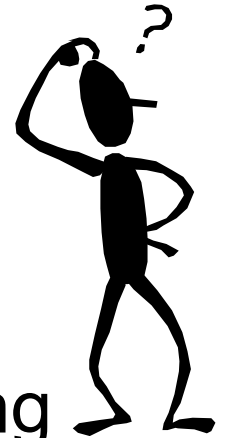


What Happens?

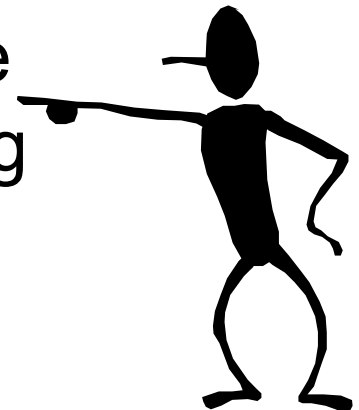
A judicial officer or judicial employee who, while on duty, possesses drugs or any substance in schedules of the Controlled Substances Act 1978, §§30-31-1 to 30-31-41 without a valid prescription or as otherwise authorized by law, may be subject to disciplinary action up to and including termination and shall be reported to the local law enforcement agency.



Drug & Alcohol Testing



The Administrative Authority may require an employee to undergo drug and alcohol testing based on reasonable suspicion that the employee is impaired to any degree by the use of an intoxicant, controlled substance, illegal substance, cannabis, and/or alcohol while on duty. Drug and alcohol testing shall be conducted in compliance with the Drug and Alcohol Testing Policy.





What is Reasonable Suspicion?

- Articulable belief that an employee is impaired, to any degree, by the use of an intoxicant, controlled substance, illegal substance, cannabis, or alcohol while on duty.
- If there is a reasonable suspicion that any of the behaviors or circumstances mentioned have occurred, any employee may be tested.

You may want to test under the following circumstances:

Impaired @ work = test

Using or possession @ work = test

Personal car @ work + accident = test

State car ANY TIME + accident = test

Return from treatment = test

The employee is arrested for a conviction of a drug related offense = test



Drinking & Lunch

What do you think:

Does the policy allow for an employee to have an alcoholic drink with their lunch?



Drinking & Lunch



The NMJBPR does not allow for an employee to consume alcohol during their lunch break.

Approval to Test

- **All** drug and/or alcohol testing shall be **first** approved by the Administrative Authority, to be coordinated by the Drug Testing Coordinator.



Refusal to Submit to Testing

Refusal to submit to a test will be deemed a **positive test** and the employee will be subject to disciplinary action.





Help is Available



What can I do if I or someone I know has a drinking problem?

Consult your personal health care provider if you feel you or someone you know has a drinking problem.

Resources include the **National Drug and Alcohol Treatment Referral Routing Service available at 1-800-662-HELP**. This service can provide you with information about treatment programs in your local community and allow you to speak with someone about alcohol problems.



Employee Assistance Program Well-being Solutions

The Employee Assistance Program (EAP) is available for all of our employees (& family members), it is easy, free and confidential.



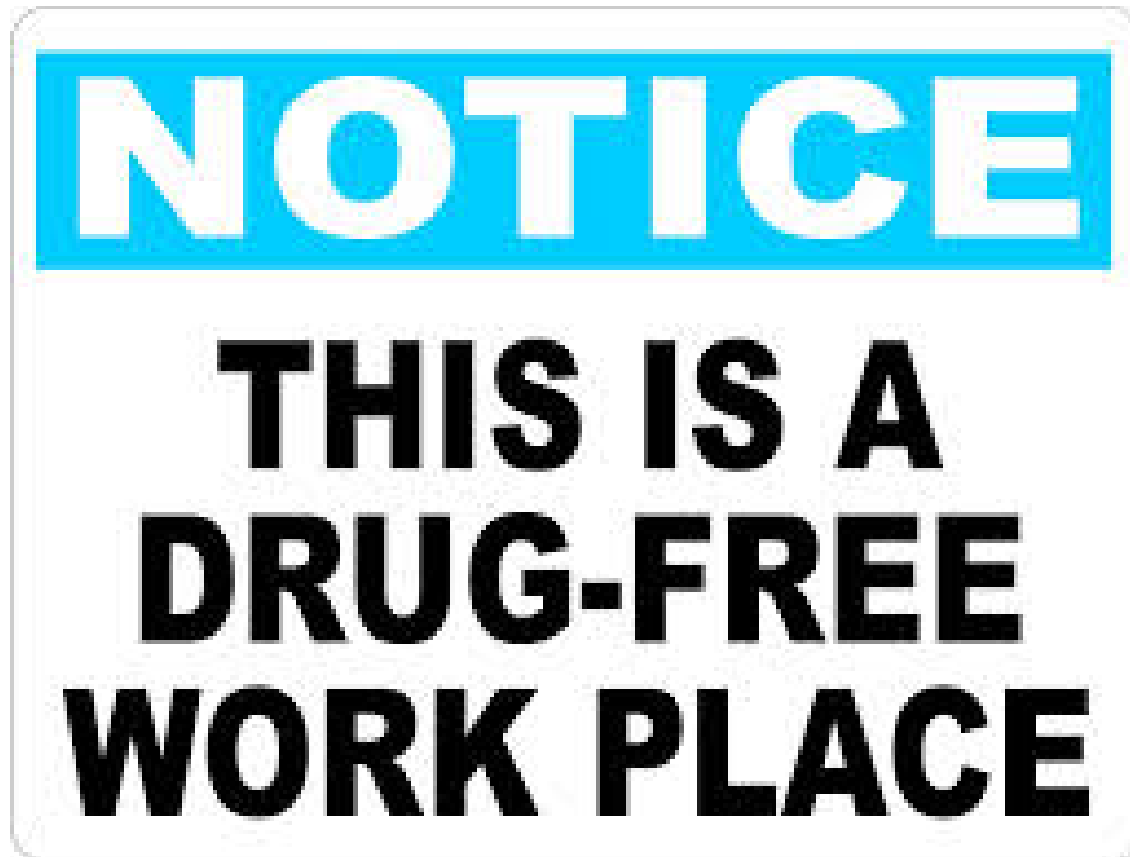
How EAP works.....

- The employee calls **1-833-515-0771** anytime 24/7 for access to a Guidance Consultant, who will perform a short confidential assessment.
- The Consultant will provide a counselor or list of counselors in the local area.
- The employee sets up the appointment and provides a verification # for billing.

*Up to Five free, confidential counseling sessions per presenting issue. If additional counseling sessions or treatment is required, the employee may utilize their own health insurance.



Questions?



Workers' Compensation

District/
Magistrate
Courts/
NMSC:
Contact your
Local HR



For AOC & COA
Claims:
Tamara Roybal
Workers'
Compensation
Contact
**aochrd-
grp@nmcourts.gov**

Administered by the General Services Department Risk Management Division
Workers Compensation Bureau



AOC

Workers' Compensation Policy

“Establishes guidelines for reporting, processing, monitoring and managing workers' compensation claims.”

What is a workplace injury?

- **When an employee is injured or made ill as a result of events or exposures associated with work or the work environment.**



Examples Of Things That Are Usually Covered Include

- An employee's slipping and falling in the parking lot while coming or going from work.

Employers DO NOT get to decide if an injury or illness is covered by Worker's Compensation. Employers cannot tell the employee what medical provider to go to.

GET COVERED

Not covered by WC:



- Contract employees (covered by THEIR employer).
- Volunteers (sign an agreement/release).
- Individuals employed by others who work in the courts (attorneys, Public Defenders, Sheriffs, etc.)
- The public or jurors (covered by property insurance).

What to do if an employee gets hurt at work:

Employee's Responsibility:



- **If it is an emergency – Call 911**
- Immediately report all work-related injuries to your supervisor and HR regardless of severity or within 72 hours
- Not automatically qualified for WC benefits just by reporting an injury or illness
- Comply with their medical treatment plan

Initial Visit

- Up to 4 hours of administrative leave may be used for the initial visit to the designated medical provider for work-related injuries with the approval of the employee's Administrative Authority;
- Leave must be requested through employee's chain of command.



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What to do if an employee gets hurt at work:

- The employee chooses the medical provider.
- If the employee is unable to drive, they should be taken by ambulance or arrange transportation with either a friend or family member.
- Another court employee should not be responsible for taking the injured employee for treatment.
- An employee may be able to drive themselves for treatment, unless it is an emergency.

Injuries at Work

What to do if you have been injured at work.

- ❑ The employee should complete a Notice of Accident form and submit to your Supervisor & AOC-HRD/District HR.
- ❑ The employee has 15 days from the date of injury to complete and submit the form (or their Workers' Compensation Claim may be denied).

Workers' Compensation & Second Job

- Employee must inform your HR contact of a second job. (Outside Employment Form must be completed and approved by Admin Authority)
- Wages from a second job may also be claimed as lost wages on a valid WC Claim.
- Questions can be directed to your HR contact.



Employee chooses their own doctor

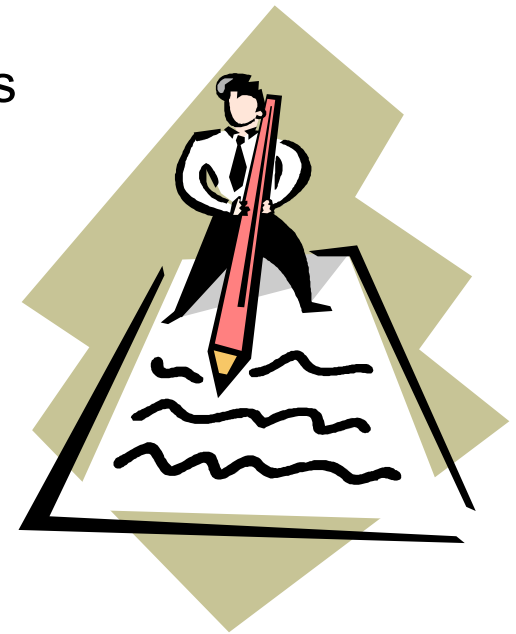
- If an employee seeks medical treatment they can select any Health Care Provider (HCP) they want to go to for treatment.
- Employee must inform HCP that treatment is due to a workplace injury or illness.
- Employee must provide HCP with a WC claim number or their social security number.
- Questions can be directed to the Risk Management Division WC Bureau.



Workers' Compensation Forms

- The forms required by WC to process a claim:
 - Notice of Accident Form
 - The Employers First Report of Injury or Illness
 - Authorization to Release Medical Information
 - Benefits Explanation Form
 - Claim Explanation Form

ALL of these forms are available on the Judicial Branch Website.



What to do with Completed WC Forms?

- Once you have **ALL** the forms completed:
 - Make a copy of all forms for your records.
 - Make a copy of all forms for your supervisor.
 - Send all forms to AOC-HRD/District HR which will be sent to WC.



An employee's time away from work

- If an employee seeks medical treatment the day of the accident (with the approval of the administrative authority) the employee may request administrative leave up to 4 hours – leave would be requested through your chain of command.
- The first 7 calendar days the employee **MUST** use their own time (PTO, comp or LWOP).
 - **If** the employee is out more than the 7 calendar days (as documented by their doctor), WC will begin paying the employee 66.66% of their regular wages. It is a separate check and no taxes, PERA or benefits will be deducted. Work with HR and your supervisor to code your time to maintain benefits.

An employee's time away from work

- If an employee is unable to work for 28 consecutive days, WC will reimburse the employee for the leave they used during the first 7 days of their injury.



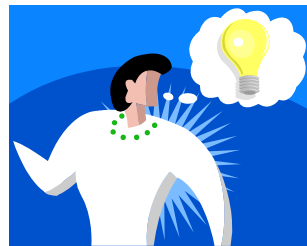
AOC Workers' Compensation Policy

“The Administrative Office of the Courts may not propose disciplinary action for an employee filing for Workers' Compensation Benefits.”



Workers' Compensation (WC) & FMLA

- The employees WC injury may be considered as a “serious health condition” for FMLA purposes.



PTO Leave Donations

- Per the NMJBPR Part I and Part II to be eligible for PTO Leave Donations the employee **cannot** be receiving Workers' Compensation Benefits.



Communication is KEY

In #6 of the Claim Explanation form the employee is required to provide prompt notification of “all doctor’s appointments, diagnosis/prognosis, billings and/or changes in treatment.”

- Employee must keep supervisor and HR informed.



Employee's Return to Work

BEFORE the employee returns to work they must provide their supervisor and HR a written doctor's release which clearly states any work restrictions.

- If the employee has any restrictions the doctor must clearly indicate those restrictions in writing (based on the job description).
- If no restrictions the employee will resume regular job duties.
- The court may or may not have work available that accommodates the employee's restrictions, if accommodations are not possible contact HR.





Fraudulent Workers' Compensation Claims

“Employees who report a false claim and/or falsify required documents under this policy are subject to disciplinary action up to and including termination.”



SAFETY FIRST

Avoid harmful UV rays

motifake.com

Slips, Trips, and Falls



According to the U.S. Department of Labor, slips, trips and falls are the most common occupational accident.



What are some causes of Slips, Trips, and Falls?

TOTAL FATAL Work Related Injuries & Illnesses

2021

Total Fatal Injuries: 5,190

Total Fatal Injuries NM: 53

Transportation Incidents: 1,982

Slips, Trips, & Falls: 850

Fatal Slips, Trips & Falls NM: 0

Reference: Bureau of Labor Statistic website -
www.bls.gov <https://www.bls.gov/iif/oshwc/cfoi/cftb0331.htm>

Slips, Trips, and Falls



How can we prevent
Slips, Trips, and Falls in
the workplace?



Preventing Slips, Trips, and Falls

- All work areas should be kept clean
- Practice Good Housekeeping
- Floors should be clean and dry, free of cords, boxes, papers, etc.
- Aisles, hallways shall be clear of any obstructions
- Consider your footwear for the work environment and outside conditions
- Use signs to draw attention to possible hazards

Use of State Vehicle

Defensive Driving Training

- Prior to operating any state vehicle, an employee must complete a 6-hour National Safety Council certified Defensive Driving Course (DDC).
- After which, employees are required to attend a 4-hour refresher course every four years. It is the employees responsibility to ensure their defensive driving certificate is up to date.
- The class fee is paid by the Employer.
- **AOC, COA, & SC:** Upon obtaining a DDC certificate, e-mail Jennifer Torres aocjdt@nmcourts.gov for enrollment into the gas card purchase database.
 - **Districts:** Contact your local Fiscal Department.
- Employees must provide AOC-HRD with a copy of their Defensive Driving Certificate for their file.

For a schedule of Defensive Driving Courses, visit:

<http://www.state.nm.us/gsd/defensdriving.html>

Acknowledgement
form 1.C

Use of Private Vehicles

- Must get prior approval before using your own vehicle in lieu of a state vehicle.
- Reimbursement for privately owned vehicle is \$.52 per mile.





AOC Vehicle & Mileage Reimbursement Policy

This policy applies to all employees and vehicles of the Administrative Office of the Courts (AOC). This policy also applies to all authorized passengers of AOC vehicles. The AOC Director or designee may grant written exceptions to this policy on a case-by-case basis in the best interest of the AOC.

AOC Vehicle & Mileage Reimbursement Policy

AUTHORIZED OPERATORS AND PASSENGERS

A. Only AOC employees may operate the AOC's vehicles. Justices, judges, other New Mexico Judicial Branch employees, and AOC's contractors may occupy vehicles as passengers, but may not operate any AOC vehicle.

AOC Vehicle & Mileage Reimbursement Policy

AUTHORIZED OPERATORS AND PASSENGERS

B. Before operating any AOC vehicle all employees must:

- 1.** Possess a valid state of New Mexico driver's license for the class of vehicle the employee intends to operate. A "valid driver's license" does not include provisional, limited, restricted, or any court-ordered restricted or administrative license or permit;
- 2.** Have completed employee orientation and acknowledged they have read and understand this policy;

AOC Vehicle & Mileage Reimbursement Policy

AUTHORIZED OPERATORS AND PASSENGERS

- 3.** Have passed a defensive driving course authorized by the Transportation Services Division of the General Services Department and obtained their Defensive Driving Certificate (DDC). A copy of the DDC shall be on file with AOCHRD;
- 4.** Have their DDC in their possession (printed or electronically) at all times while operating an AOC vehicle; and
- 5.** Sign out the vehicle for use using the designated procedure.

AOC Vehicle & Mileage Reimbursement Policy

AUTHORIZED OPERATORS AND PASSENGERS

C. All passengers in AOC vehicles must be related to official state judicial branch business.

D. This policy shall not prevent the use or occupancy of AOC vehicles in an emergency or to render emergency aid.



AOC Vehicle & Mileage Reimbursement Policy

Please ensure you have fully read and understand this policy.

For any questions or concerns regarding this policy please contact AOC's Fiscal Services Division at aocfiscal-grp@nmcourts.gov.

Acknowledgment Form 1.K.1

Driving with Electronics Policy

Applies to all Judicial Branch Employees

- New Mexico Judicial Branch restricts the use of all electronic devices to “Hands Free” operation while driving a motor vehicle.
- Violations of this policy may result in disciplinary action.
- Cannot take a state vehicle out of the state without GSD & Fiscal Services Division`s written permission.



Defensive Driving Tips

Safe Driving Tips:

- Obey all traffic laws and drive vehicles safely and defensively at all times.
- Do not drink alcohol and drive.
- Do not speed.
- Avoid distractions.
- Don't drive drowsy.
- Wear your seat belt at all times.
- Don't follow other vehicles too closely.
- Watch out for other drivers.



Winter Driving Tips

SEVERE WEATHER DRIVING: **DOs** & **DON'Ts**



DO SLOW DOWN



DON'T USE HANDHELD DEVICES



DO WEAR YOUR SEAT BELT



DON'T USE CRUISE CONTROL



DO FILL YOUR GAS TANK



DON'T DRIVE UNLESS NECESSARY



DO KNOW IF YOU HAVE ANTI-LOCK BRAKES



DON'T DRIVE UNDER THE INFLUENCE

Language Access Training Policy

The NM Judicial Branch is committed to ensuring access to justice for all NM residents.

We recognize that language access is a significant aspect of equal access to justice at all points of public contact with the judiciary, within and outside the courtroom and courthouse.

- All employees must view the Language Access Video (at-will employees, term, and temp employees).

Acknowledgement
form 1.D

FEMA - What is it?

(Federal Emergency Management Agency)

- FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain and improve our capability to prepare for, protect against, respond to, recover from and mitigate all hazards.
- Examples include: Active Shooter situations, Floods, Natural Disasters etc...



Threats to Judicial Officers and Employees

- Judges are subject to threats far beyond the courtroom. In 2020 a gunman entered the New Jersey home of Judge Esther Salas, killed Salas's 20-year-old son, and wounded her husband. Since then, legislatures across the US have passed laws in an attempt to address the danger that judges face.
- New Mexico has passed legislation that makes it a crime to threaten a judge or their family or to share their personal information with malicious intent.
- Federal law is also making its way through Congress to protect the private information of judges and their families.



Threats to Judicial Officers and Employees

As judicial personnel, we are vigilant in what we say and do, and go out of our way to protect our judges and each other. We want to be careful in what we say and the information we give out, even when we know the person we are talking to, because we never know who might overhear.

Never give specifics about where a judge or judicial employee might be found, even if you know the person asking.



Threats to Judicial Officers

- Instead of saying, “She is at lunch,” say, “The judge is unavailable.”
- Instead of saying, “The judge will be back at 1:00,” say, “You might try again around 1:00”
- Instead of saying, “The judge usually comes in at 9:00,” say, “Maybe call back (or come back) around 9:00.”
- If someone asks specific questions about where a judge (or another employee) is, respond with, “We do not give out information about the whereabouts of judicial employees.”

We know we cannot eliminate all threats, but if we work together, and are vigilant, we can help minimize the risks faced by judges, judicial employees, and our families.



Active Shooter Awareness

Brought to us from FEMA

- AOC Loss Prevention and Control Committee provides training on Active Shooter responsiveness.



Acknowledgement
form 1.G

Active Shooter Awareness

Active Shooter situations are unpredictable and evolve quickly.

Actions to take when confronted with an Active Shooter:

1. Evacuate
2. Hide
3. Take Action



Active Shooter Awareness

1. Evacuate

- Develop an Emergency Action Plan.
- Please refer to your specific building evacuation plan.



Active Shooter Awareness

2. Hide

- Be out of Active Shooters view.
- Lock and block door.
- Silence your cell phones.
- Remain quiet.



Active Shooter Awareness

3. Take Action

- This should be your last resort.
- Act aggressively, throw items, yell, commit to your actions.



Active Shooter Awareness

When law enforcement arrives what should you do?



- Remain calm
- Follow instructions
- Put down any objects
 - Raise hands
- Avoid yelling or screaming
- Proceed in the direction from which the officers are entering

Active Shooter Awareness



Link: <https://humanresources.nmcourts.gov/run-hide-fight.aspx>

OSHA – Regulation 1910-157 (general industry)

Regulation requires training for any Judicial staff (judges and employees) who have access to a fire extinguisher in their building or court.



OSHA – Regulation 1910-157 (general industry)



Link: <https://humanresources.nmcourts.gov/fire-safety.aspx>

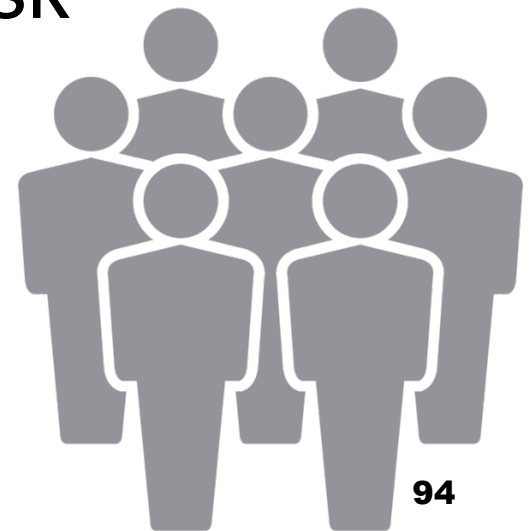
Judicial Information Division

- The Judicial Information Division (JID) provides IT services and solutions across the Judiciary.
- JID is responsible for our:
 - Email system
 - Statewide network
 - Odyssey Case Management System
 - Cybersecurity, and more



JID Teams and Areas of Focus

- CISO and Cybersecurity
- Odyssey Business Support
- Network & System Team
- Video Network Operations
- Client Support and Service Desk
- IT Project Managers
- Application Development

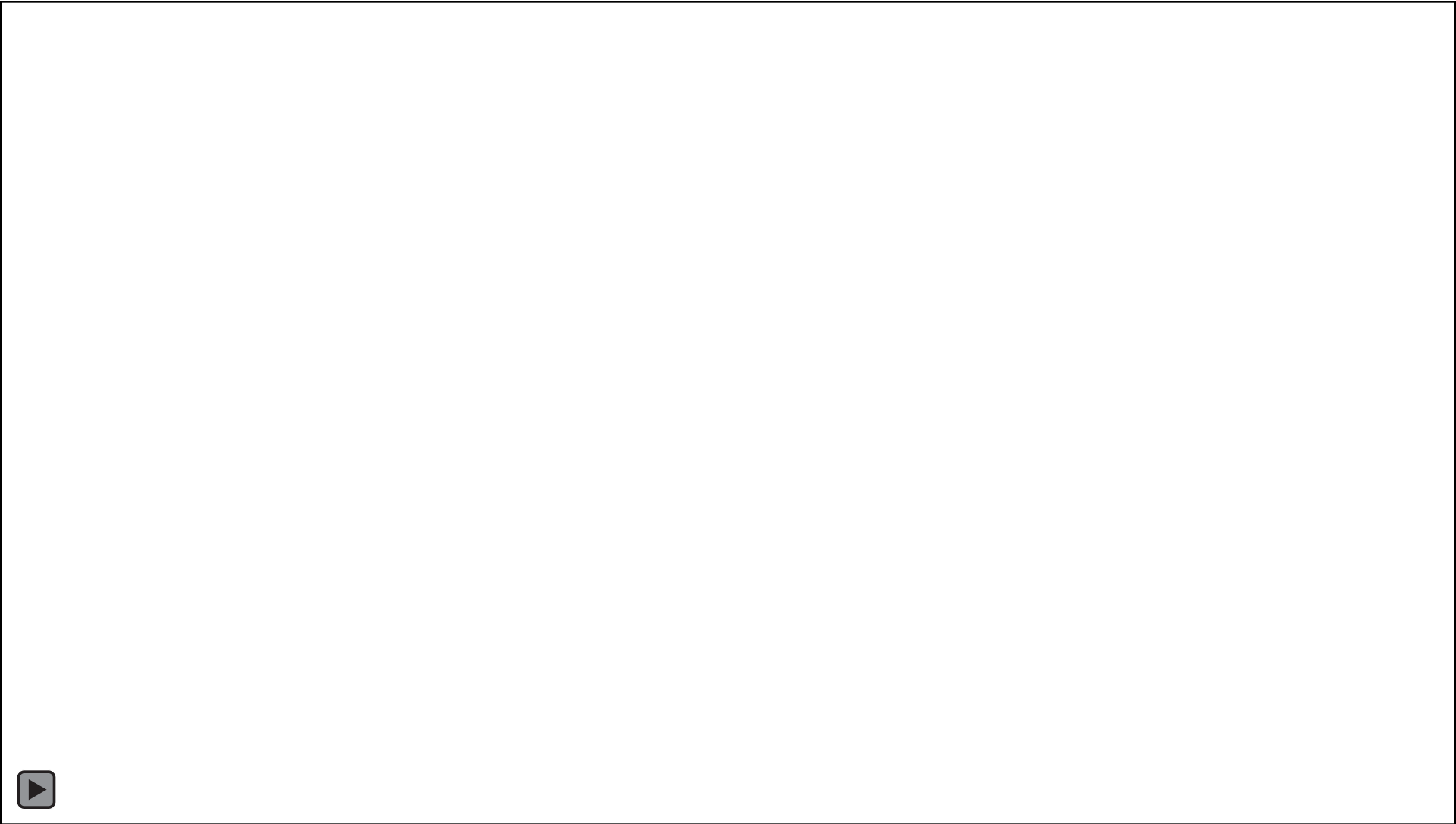


JID Service Desk

Need Technical Assistance?
The Service Desk can Help!

- Call or email a description of your questions or issue to create a service ticket:
 - support@nmcourts.gov or 505-629-3291
- JID offers after-hours *emergency* assistance
 - 505-476-6911





Computer Security - Spyware

Malicious Software, aka Spyware

- Any technology that aids in gathering information about you or the judiciary without your knowledge and consent.
- Programs that are installed on a computer to secretly gather information and relay it to advertisers or other interested parties.
- Spyware can be a result of installing a new program.

Computer Security Practices

- Do not install any software – contact JID for approved software.
- Avoid accessing websites you are not familiar with.
- Do not click on links or attachments in deceptive or suspicious pop-up windows or email messages.



Computer Security - Phishing

Phishing – An online scam whereby emails are sent by criminals who seek to steal your identity, rob your bank account, or take over your computer.



Phishing-What's the Harm?

- This year, cybercriminals have sent over **3.3 billion** phishing messages.
- Phishing messages caused over **4,000** data breaches.
- Over **22 billion** personal records were exposed as a result of people clicking links in Phishing emails



Computer Security - Phishing

Use the “**Stop-Look-Call**” Technique

- **STOP** – Do not react to phishing ploys consisting of “upsetting”, “urgent”, or “exciting” information.
- **LOOK** – Closely at the claims in the email and carefully review all links and web addresses.
- **CALL** – Do not reply to emails requesting you to confirm account information; call or email the company in question to verify if the email is legitimate.

Never email personal information to someone you are not familiar with.

When submitting personal/confidential information via the internet, make sure the URL is https:/ and confirm the security lock is displayed in the browser. Ideally, you should go to the main website, not a URL in an email.



Computer Security - Phishing

If you receive an email that appears to be phishing or you have concerns it could contain malicious content

- Do not click any links or open attachments.
- Forward the message to phishing@nmcourts.gov and notify your local IT staff.



Quick tips to Spot a Phishing Email

- Contains an offer that's too good to be true.
- Language that's urgent, alarming, or threatening.
- Poorly-crafted writing with misspellings and bad grammar.
- Greetings that are ambiguous or very generic.
- Requests to send personal information.
- Urgency to click on unfamiliar hyperlinks or attachment.
- Strange or abrupt business requests.
- Sending e-mail address doesn't match the company it's coming from.



Computer Security



DON'T GET HOOKED!

WHAT IS PHISHING?

Phishing is a psychological attack used by cyber criminals to trick you into giving up information or taking an action. Phishing originally described email attacks that would steal your online username and password. However, the term has evolved and now refers to almost any message-based attack. These attacks begin with a cyber criminal sending a message pretending to be from someone or something you know, such as a friend, your bank or a well-known store.

These messages then entice you into taking an action, such as clicking on a malicious link, opening an infected attachment, or responding to a scam. Cyber criminals craft these convincing-looking emails and send them to millions of people around the world. The criminals do not know who will fall victim, they simply know that the more emails they send out, the more people they will have the opportunity to hack. In addition, cyber criminals are not limited to just email but will use other methods, such as instant messaging or social media posts.

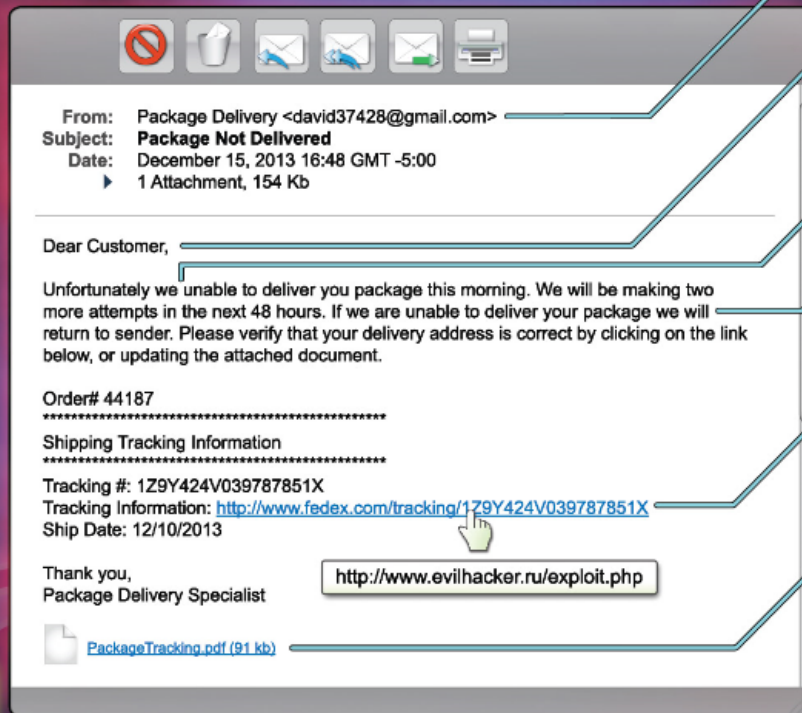
WHAT IS SPEAR PHISHING?

The concept is the same as phishing, except that instead of sending random emails to millions of potential victims, cyber attackers send targeted messages to a very few select individuals. With spear phishing, the cyber attackers research their intended targets, such as by reading the intended victims' LinkedIn or Facebook accounts or any messages they posted on public blogs or forums. Based on this research, the attackers then create a highly customized email that appears relevant to the intended targets. This way, the individuals are far more likely to fall victim.

This poster was developed as a community project. Contributors include: Cheryl Conley (Lockheed Martin), Tim Harwood (BP), Tonia Dudley (Honeywell), Ellen Powers (MITRE Corporation), Shanan Johnson (Reserve Bank of Atlanta) and Terri Chihota.

WHY SHOULD I CARE?

You may not realize it, but you are a phishing target at work and at home. You and your devices are worth a tremendous amount of money to cyber criminals, and they will do anything they can to hack them. YOU are the most effective way to detect and stop phishing. If you identify an email you think is a phishing attack, or you are concerned you may have fallen victim, contact your help desk or security team immediately. To learn more about phishing or to demo the SANS Securing The Human phishing testing platform, please visit <http://www.securingthehuman.org/phishing>.



PHISHING INDICATORS

- A** Check the email addresses. If the email appears to come from a legitimate organization, but the "FROM" address is someone's personal account, such as @gmail.com or @hotmail.com, this is most likely an attack. Also, check the "TO" and "CC" fields. Is the email being sent to people you do not know or do not work with?
- B** Be suspicious of emails addressed to "Dear Customer" or that use some other generic salutation. If a trusted organization has a need to contact you, they should know your name and information. Also ask yourself, am I expecting an email from this company?
- C** Be suspicious of grammar or spelling mistakes; most businesses proofread their messages carefully before sending them.
- D** Be suspicious of any email that requires "immediate action" or creates a sense of urgency. This is a common technique to rush people into making a mistake. Also, legitimate organizations will not ask you for your personal information.
- E** Be careful with links, and only click on those that you are expecting. Also, hover your mouse over the link. This shows you the true destination of where you would go if you clicked on it. If the true destination is different than what is shown in the email, this is an indication of an attack.
- F** Be suspicious of attachments. Only click on those you are expecting.
- G** Be suspicious of any message that sounds too good to be true. (No, you did not just win the lottery.)
- H** Just because you got an email from your friend does not mean they sent it. Your friend's computer may have been infected or their account may be compromised. If you get a suspicious email from a trusted friend or colleague, call them on the phone.

Computer Security



YOU ARE A TARGET

Username & Passwords

Once hacked, cyber criminals can install programs on your computer that capture all your keystrokes, including your username and password. That information is used to log into your online accounts, such as:

- Your bank or financial accounts, where they can steal or transfer your money.
- Your iCloud, Google Drive, or Dropbox account where they can access all your sensitive data.
- Your Amazon, Walmart or other online shopping accounts where they can purchase goods in your name.
- Your UPS or Fedex accounts, where they ship stolen goods in your name.

Email Harvesting

Once hacked, cyber criminals can read your email for information they can sell to others, such as:

- All the names, email addresses and phone numbers from your contact list.
- All of your personal or work email.

Virtual Goods

Once hacked, cyber criminals can copy and steal any virtual goods you have and sell them to others, such as:

- Your online gaming characters, gaming goods or gaming currencies.
- Any software licenses, operating system license keys, or gaming licenses.

Botnet

Once hacked, your computer can be connected to an entire network of hacked computers controlled by the cyber criminal. This network, called a botnet, can then be used for activities such as:

- Sending out spam to millions of people.
- Launching Denial of Service attacks.

You may not realize it, but you are a target for cyber criminals. Your computer, your mobile devices, your accounts and your information all have tremendous value. This poster demonstrates the many different ways cyber criminals can make money by hacking you. Fortunately, by taking some simple steps, you can help protect yourself and your family. To learn more, subscribe to OUCH!: a security newsletter designed to help people just like you.

www.securingthehuman.org/ouch



Identity Hijacking

Once hacked, cyber criminals can steal your online identity to commit fraud or sell your identity to others, such as:

- Your Facebook, Twitter or LinkedIn account.
- Your email accounts.
- Your Skype or other IM accounts.

Web Server

Once hacked, cyber criminals can turn your computer into a web server, which they can use for the following:

- Hosting phishing websites to steal other people's usernames and passwords.
- Hosting attacking tools that will hack people's computers.
- Distributing child pornography, pirated videos or stolen music.

Financial

Once hacked, cyber criminals can scan your system looking for valuable information, such as:

- Your credit card information.
- Your tax records and past filings.
- Your financial investments and retirement plans.

Extortion

Once hacked, cyber criminals can take over your computer and demand money. They do this by:

- Taking pictures of you with your computer camera and demanding payment to destroy or not release the pictures.
- Encrypting all the data on your computer and demanding payment to decrypt it.
- Tracking all websites you visit and threatening to publish them.

This poster is based on the original work of Brian Krebs. You can learn more about cyber criminals at his blog at <http://krebsonsecurity.com>

Computer Security - Social Engineering



Example – You receive a call from someone who claims they are from JID. They ask you for your SHARE password to fix a problem that has been reported to them.

Computer Security - Social Engineering

- You may receive calls from parties impersonating judicial employees.
- If a received phone call is suspicious, request to return their call.
- Do not provide personal or confidential information to a caller until you are able to verify the caller's identity and their association with their employer's company.
- Never provide a caller with any password.
- Report any unrecognized person to your manager.



Computer and Internet Use Policy

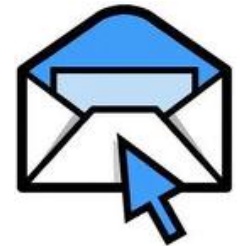
Revised January 2024

- The purpose of this policy is to establish standards and procedures for an employee's use of the New Mexico Judicial Branch computers, including tablets, Internet, and electronic mail (e-mail).
- This policy applies to all New Mexico Judicial Branch employees and judges.
- Employees and judicial officers shall receive the NMJB Computer Internet Use Policy and sign the acknowledgment form every even numbered year.

Computer and Internet Use Policy

Revised January 2024

Judiciary-supplied Computer Hardware & Software



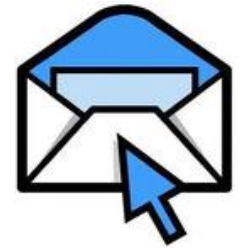
- ❑ You may *not* use judiciary equipment for non-judicial business purposes.
- ❑ This includes but is not limited to political or business-for-profit activities.
- ❑ Employees and Judges have no right to privacy and shall have no expectation or confidentiality.
- ❑ The Judicial Information Division (JID) and district IT staff may perform audits on any judicial owned computer or software.

Computer and Internet Use Policy

Revised January 2024

Appropriate Email and Internet Usage

- Employees are responsible for using judiciary internet and email access systems in an ethical and appropriate manner.
- May **not** be used for transmission, retrieval or storage of materials of a discriminatory or harassing nature, and materials that are pornographic, sexually suggestive, sexually explicit, intimidating, derogatory, violent, vulgar, obscene, threatening, defamatory or otherwise abusive, or inappropriate.



Judiciary Computer and Internet Use Policy

Revised January 2024

- No derogatory or inflammatory remarks about an individual's sex, race, color, age, disability, or serious medical condition, pregnancy, religion, national origin, citizenship, ethnic origin, ancestry, marital status, military/veteran status, genetic information, socioeconomic status, political affiliation, physical attributes, gender identity, sexual orientation, or any other protected status shall not be transmitted using NM Judiciary resources.
- Internet access to sites that contain pornographic material **IS PROHIBITED.**
- There is no expectation of privacy, violations are subject to disciplinary action.



Judiciary Computer and Internet Use Policy

Revised January 2024

- It is your responsibility to inform management and the AOC JID of any inappropriate content sent to a nmcourts.gov email address.
- If you receive an inappropriate email communication or similar item you are to inform your supervisor, JID, the Judicial Entity's IT security officer, and HR.
- Promptly inform the sender to not send inappropriate items to your work email, or unsubscribe from any inappropriate websites.



Judicial Computer and Internet Use Policy

Revised January 2024

Email Signature Blocks Including Taglines

- Shall not include taglines or extraneous information such as slogans, quotes, sayings, catchphrases, symbols, graphics, images, pictures or animations.
- The Administrative Authority may approve signature blocks containing statements related to the judicial entity's business operations.

Judiciary Computer and Internet Use Policy

Revised January 2024

Email Profile Picture

- A current picture of the e-mail account user (within approx. the last five years), which needs to be a professional looking clear image, or the official State of NM/NMJB seal.
- No inanimate objects, group shots, or photos of the employee with their significant other, child, or pets, or graphics or images that could reasonably be construed as communicating content promoting a message, idea, brand, logo, slogan, or content that is defamatory, discriminatory, harassing, sexually provocative or explicit, or other non-Judiciary related content.



Judiciary Computer and Internet Use Policy

Revised January 2024

- Any downloads of software application and/or copyrighted material copied from non-judiciary computers or networks must be approved in advance.
- Staff and Judges obtaining access to materials from outside the NMJB through internet or email must respect all copyrights. Do not copy, retrieve, modify, or forward copyrighted materials.

EVERY
MINUTE
OF THE DAY

PEOPLE SEND **16M**
TEXTS



FACEBOOK
USERS SHARE
1.7M pieces of content



GOOGLE
USERS CONDUCT
5.9M searches



INSTAGRAM
USERS SHARE
66K photos



EMAIL
USERS SEND
231.4M messages



TWITTER
USERS SHARE
347.2K tweets



ONLINE EVENT
GOERS PURCHASE
\$12.9K



SNAPCHAT
USERS SEND
2.43M snaps



CRYPTO
BUYERS PURCHASE
\$90.2M in cryptocurrency



TINDER
USERS SWIPE
1.1M times



VENMO
USERS SEND
\$437.6K



YOUTUBE
USERS UPLOAD
500 hours of video



AMAZON
SHOPPERS SPEND
\$443K



VIEWERS SPEND
1M hours
STREAMING



DOORDASH
DINERS PLACE
\$76.4K in orders



104.6K hours
SPENT IN
ZOOM
MEETINGS



E-MAIL, CHAT/INSTANT MESSAGING & SOCIAL MEDIA



MIRANDA WARNING: Anything you say or do can be used against you ~ this includes e-mails & Google chat messages.

Questions?





Administrative Office of the Courts

New Employee Orientation Class Training Module 4

Class Agenda / Training Modules

- Training Module 1 -
Structure of the
Judiciary and
Background of the AOC
- Training Module 2 -
NM Judicial Branch
Personnel Rules Part I & II
and NM Judicial Branch
Code of Conduct
- NM Judicial Branch
Response to Coronavirus
- Training Module 3 -
Loss Control, Fraud
Reporting, Drug & Alcohol
Prevention & Testing, &
Computer and Internet use
- **Training Module 4 -
Harassment,
Discrimination, and
Retaliation Prevention**
- Training Module 5 -
Benefits Overview
including PERA and Payroll

Civil Rights Training Videos

- New employees will be enrolled by their HR professional into the training platform OB Learn by Media Partners.
- There are 3 required videos you will watch for the annual Civil Rights Training requirement.
 - Once and For All
 - How was your day
 - Getting Real about Workplace Violence
- The training platform also includes a training video on workplace violence prevention.

Civil Rights Training Videos

- Be on the lookout for an email invitation to register your account.



Hello _____,

Welcome to the New Mexico Judicial Branch new training platform for training related to Harassment, Discrimination, and Retaliation Prevention, and Workplace Violence Prevention.

Please click the link below to register your account and create a password.

[Register Now](#)

After registering, you can always come back and [login](#).

Thank you,

Transgender Cultural Fluency Training

- The Supreme Court's Commission on Equity and Justice is pleased to provide and sponsor Transgender Cultural Fluency Training.
- The training on gender inclusivity lays a foundation for participants to gain:
 - A better understanding of what it means to be transgender.
 - Clarify common misconceptions about transgender people.
 - Become familiar with the challenges transgender communities face.



Transgender Cultural Fluency Training

- All employees are required to watch a two (2) hour Transgender Cultural Fluency Training.
 - <https://humanresources.nmcourts.gov/home/workforce-management/training-development/>
- After completing the video you will complete a Google Form acknowledging your attendance.
- This training is an initiative of the Supreme Court's Commission on Equity and Justice.



Harassment, (including Sexual Harassment), Discrimination and Retaliation Policy

- The purpose of this policy is to protect all employees from harassment (including sexual harassment), discrimination and retaliation and to establish procedures employees must follow if aware of or subject to harassment, discrimination or retaliation.



Acknowledgement
form 1.F

Judicial Branch Definitions

- Harassment – is unwelcome behavior or conduct that substantially interferes with an individual's employment. Harassment may include, but is not limited to, verbal or physical attacks, graphic or written statements, and may include text messages, emojis, stickers, GIF (graphical interchange format, images, or soundless videos that play in a loop) and similar or written statements, threats, or slurs. Whether the alleged conduct constitutes prohibited Harassment depends on the totality of the particular circumstances, including the nature, frequency and duration of the conduct in question.



Judicial Branch Definitions

What are some things that might be considered as harassment that you have witnessed during your working career?

It is behaviour which is



Unwelcome

Unsolicited

Repeated

Offensive

Intimidating

Humiliating

Threatening

Judicial Branch Definitions

- Discrimination: “Any practice or behavior, whether intentional or not, which has a negative impact on an individual or group because of personal characteristics or circumstances unrelated to the persons abilities or the employment issue in question (e.g., disability, sex, age over 40, race, etc...).”



Judicial Branch Definitions

- What discriminatory behavior have you witnessed during your working career that might be inappropriate?



Judicial Branch Definitions

- Retaliation: “The act of attacking in return as in taking revenge, reciprocating, settling a score or getting even.”



Judicial Branch Definitions

- What retaliatory behavior have you witnessed during your working career that might be inappropriate?



Discrimination, Retaliation And Harassment

A. *Discrimination or harassment* based on **race, color, religion, sex, age over forty (40), national origin, ancestry, physical or mental disability, serious medical condition, sexual orientation, gender identity, socioeconomic status, political affiliation, pregnancy, childbirth, conditions related to pregnancy or childbirth, citizenship, ethnic origin, marital status, military leave, veteran status, genetic information, spousal affiliation, cultural or religious headdress, and any other status protected by law**, except where there is a bonafide occupational qualification, which justifies a differentiation, or any other reason not related to work performance shall not be tolerated in the *work place*; nor shall *retaliation* against a person filing a *complaint*, participating in an investigation or reporting such *discrimination, or harassment* be tolerated, even if there are no findings. (Amended 07/01/19, 05/13/23)

Discrimination, Retaliation and Harassment

B. Discrimination, retaliation and harassment are unacceptable and are grounds for disciplinary action.

C. An employee who is aware of or who is the subject of discrimination, retaliation or harassment **should report such behavior to the AOC HR Director.**



Title VII of the Civil Rights Act of 1964

- ❖ Prohibits discrimination on the basis of **race, ancestry, color, religion, sex or national origin.**
- ❖ Prohibits discrimination in hiring, firing, promotions, wages, job assignments, fringe benefits and other terms and conditions of employment.



How to Prevent Sexual Harassment Issues

- ❖ Set a positive and professional image at all times. Be an example.
- ❖ Think about your words and actions.
- ❖ Treat all people with **COURTESY, DIGNITY and RESPECT!**



Remember



- ❖ Remarks or actions may not be intended to hurt anyone, **but someone else may feel differently.** Those remarks/actions could be considered harassment.
- ❖ If you are offended, don't hesitate to **make that clear to the harasser** and your supervisor or the AOC HR Director.
- ❖ Always think about how others may feel before you speak or act.

Thank you! Questions?





Administrative Office of the Courts

New Employee Orientation Class Training MODULE 5

Class Agenda / Training Modules

- Training Module 1 -
Structure of the
Judiciary and
Background of the AOC
- Training Module 2 -
NM Judicial Branch
Personnel Rules Part I & II
and NM Judicial Branch
Code of Conduct
- NM Judicial Branch
Response to Coronavirus
- Training Module 3 -
Loss Control, Fraud
Reporting, Drug & Alcohol
Prevention & Testing, &
Computer and Internet use
- Training Module 4 -
Harassment, Discrimination,
and Retaliation Prevention
- **Training Module 5 -
Benefits Overview
including PERA and
Payroll**

Links to Health Plans Summary of Benefits

- Health Plans Summary of Benefits
- State of NM Benefits Eligibility Information and Enrollment/Change Form.
- Bi-Weekly Contribution Rate Sheet
- Deferred Compensation
- Well-Being Handout
- PERA Member Handbooks
- HIPAA Policies



.....Links to Health Plans Summary of Benefits

- Premium Only Plan (POP)/Waiver
- State Employees Calendar
- Judicial Branch Observed Holiday Schedule
- Flexible Spending Accounts
- Medical Provider Information
- COBRA: Notice of Rights



Insurances

Who is Eligible for insurance?

Any employee hired to work at least 20 hours a week and whose term of employment when hired is for six or more months, or ends up being for six or more months.

Insurances

Who is Eligible to be insured?

- Employee
- Lawful Spouse
- Domestic Partner (must file affidavit)
- Natural Children
- Adopted Children
- Stepchildren
- Children of Domestic Partner
- Children for whom the employee has court approved legal guardianship.

Note: (Children can be covered up to age 26)

Benefits for Transfers

- Employees transferring from another state agency or covered Local Public Body without a break in service will have all their current benefits transfer with them without the waiting period.
- Employees do not need to re-enroll benefits, but do need to sign the acknowledgement forms provided in orientation.



Benefits for Transfers

- An employee transferring within the Judicial Branch or from the Executive, Legislative, Public Defenders Office, or District Attorney's Office can make changes to their benefits as a Qualifying Event if:
 - You drop your coverage prior to changing jobs.
 - Re-enroll as a new enrollment.
 - Wait for new coverage to become effective at the beginning of the third full pay period.



Benefits Available

(Judiciary pays a portion of the bi-weekly premiums)

- Health Insurance
- Dental Insurance
- Vision Insurance
- Basic Life Insurance – 100% paid by the State.
- Dependent Life
- Employee Assistance Program (EAP) – 100% paid by the State.



Benefits Available

(Employee pays 100% of premiums)

- Supplemental Term Life Insurance
- Short and Long Term Disability
- Flexible Spending Accounts – Medical, Dependent Care, Transportation and Parking



SONM Voluntary Benefits Plan Options

(Employee pays 100% of premiums)

- Accident Insurance, Cancer Insurance, Critical Illness Insurance, Whole Life Insurance.
- Aflac, Globe Life, and MetLife.
- Accident Insurance and Critical Illness Insurance now provided by the Hartford.

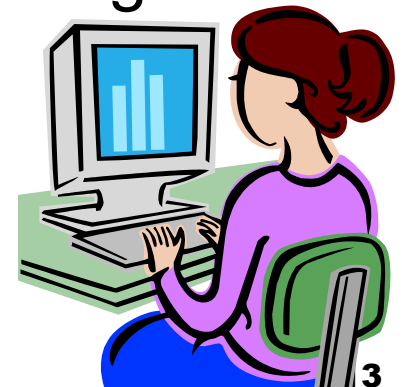


New Tools Added to Mybenefitsnm.com

- The mybenefitsnm.com website has “new hire and qualifying event orientation” which includes:
 - How to enroll,
 - What supporting documents are needed,
 - Information about qualifying events,
 - Open enrollment,
 - What happens when an employee terminates or retires
 - FAQ’s and other helpful links.

State Group Insurances

- Employees must enroll **online** at www.mybenefitsnm.com **within 31 days of their date of hire.**
- After enrolling, give AOC HRD/District HR a copy of your enrollment form so a copy may be placed in your personnel file.
- If employee is waiving benefits, they must complete the online process indicating they are waiving benefits.



...State Group Insurances

- Employees will have the option to change their insurances when one of the following happens:
 - Qualifying Event (Change of Status)
 - The State offers an Open Enrollment.
 - The employee opts out of POP (premium only plan) at the beginning of the next plan year (January 1st)

Notify HR Immediately When the Following Change of Status Occurs:

- ...Change of marital status
- ...Satisfying requirements of Domestic Partnership
- ...Death of employee or covered dependent
- ...Birth of child, or court approved adoption or guardianship
- ... Change in job status of employee (part-time to full-time), reduction in hours due to FML, LWOP, Disability
- ...You, and/or your dependents lose coverage elsewhere (i.e. when a spouse changes or loses their job)
- ...A dependent child is no longer eligible (reaches age 26, obtains coverage elsewhere)
- ...A child becomes eligible when no longer covered under Medicaid.
- ...A transfer (refer to slide #8)

POP

- POP is the State's PREMIUM ONLY PLAN.
- This is a pre-tax premium conversion plan that allows state employees to have their **health**, **dental**, and **vision insurance** premiums deducted from their gross pay **BEFORE** taxes.
- Reduces your taxable income and increases your take home pay.
- Premiums are paid in arrears.
- An employee will be automatically enrolled in POP unless a waiver form is received.

Medical Health Plans

PRESBYTERIAN HEALTH PLAN (HMO)

- HMO Plan (no out-of-network option)
- Tier 1 & Tier 2 Plans
- Lower Premiums

BLUE CROSS/BLUE SHIELD PLAN (HMO)

- HMO Plan (no out-of-network option)
- Tier 1, Tier 2, Tier 3 Plans
- Lower Premiums

BLUE CROSS/BLUE SHIELD PLAN (PPO) Preferred Provider Network and Non-Preferred

- Provider Options
- Mid-level Premiums

CIGNA (PPO/OAP) AND (HMO/OAPIN)

HMOs vs. PPOs

HMO- Health Management Organization

- Costs/deductibles tend to be lower
- Often have no deductible and co-payments or are generally low upon doctor or hospital visit
- Out-of-pocket expenses are kept to minimum
- Restrictions- must see plan's "in-network" list of provider's to receive lower cost

PPO- Preferred Provider Organizations

- Less restrictions
- Costs/deductibles tend to be higher
- Can see almost any doctor you choose
- Ability to see "in-network" list of provider's and save money; or see provider's that are "out-of-network" as your choice

Deductible vs. Co-pay

■ **Deductible**

- Annual amount the employee must pay before the plan begins paying on qualifying visits/procedures.

- Medical Plan year
Jan 1st to Dec 31st

■ **Co-Pay or Co-Insurance**

- The amount the employee is responsible for, often after deductible is met.

Benefits Comparison Guide Effective 1/1/23

BENEFITS	PRESBYTERIAN Tier 1	PRESBYTERIAN Tier 2
Deductible	\$350 / \$700 / \$1,050 Single / Couple / Family	\$500 / \$1000 / \$1,500 Single / Couple / Family
PCP Office Visit	\$25 (deductible waived)	\$40 (deductible waived)
Specialist	\$45 (deductible waived)	\$60 (deductible waived)
Preventive/ Wellness/Telehealth	\$0	\$0
Urgent Care	\$100	\$100
Hospital In-Patient	20% coinsurance after deductible	20% coinsurance after deductible
Emergency Room	20% coinsurance after deductible	20% coinsurance after deductible

Benefits Comparison Guide Effective 1/1/23

BENEFITS	BCBS (HMO)	BCBS Tier 1 Blue Preferred Plus (NBP)
Deductible	\$425 / \$850 / \$1,275 Single / Couple / Family	\$500 / \$1,000 / \$1,500 Single / Couple / Family
PCP Office Visit	\$35 (deductible waived)	\$40 (deductible waived)
Specialist	\$50 (deductible waived)	\$60 (deductible waived)
Preventive/ Wellness/Telehealth	\$0	\$0
Urgent Care	\$60	\$65
Hospital In Patient	\$700	\$1,250
Emergency Room	\$300	\$325

Benefits Comparison Guide Effective 1/1/23

BENEFITS	BCBS Tier 2 (PPO) Preferred Provider	BCBS Tier 3 Non-Preferred Provider
Deductible	\$700 / \$1,400 / \$2,100 Single/Couple/Family	\$3,000 / \$6,000 / 9,000 Single/Couple/Family
PCP Office Visit	\$50	50% of Co-Insurance
Specialist	\$70	50% of Co-Insurance
Preventive/Wellness	\$0	50% of Co-Insurance
Urgent Care	\$75	\$75 (after PPO deduct.)
Hospital In Patient	\$1,750	50% of Co-Insurance
Emergency Room	\$325	\$325

Benefits Comparison Guide Effective 1/1/23

BENEFITS	Cigna (HMO)	Cigna (PPO)	PPO Non- Preferred Provider
Deductible	\$500 / \$1000 / \$1,500 Single/Couple / Family	\$750 / \$1500 / \$2,250 Single/Couple / Family	\$3000 / \$6000 / \$9000 Single/Couple / Family
PCP Office Visit	\$35 (deductible waived)	\$40 (deductible waived)	50%
Specialist	\$50 (deductible waived)	\$60 (deductible waived)	50%
Preventive/ Wellness/Telehealth	\$0	\$0	50% (deductible waived)
Urgent Care	\$60	\$65	\$75
Hospital In Patient	\$700	\$1250	50%
Emergency Room	\$300	\$325	\$325



- 100% Free Primary Care
- Provided by Proactive MD
- For you, your spouse, and any dependents enrolled in a State of New Mexico medical health plan
- Family medicine, acute care, medication dispensing and prescriptions, lab work, and more.
- Located in Santa Fe or Virtual Office Visits Statewide.
- <https://staywellnm.proactive-md.com/>



COVID-19 Testing and Treatment with a SONM Group Benefits Plan

Information specific to COVID-19

All testing AND treatment for COVID-19 related conditions will be paid 100% by the State of New Mexico Group Benefits Plan. This means there will be no co-payment, deductible or coinsurance that will apply to these services. Please seek care for yourself and your family if needed.

For COVID-19 updates, resources and information, please visit the New Mexico Department of Health at: <https://cv.nmhealth.org/>

The New Mexico Department of Health Coronavirus Hotline:
1-855-600-3453.

Stay Safe New Mexico.



CVS caremark®

New Prescription Plan

- The SONM Prescription Plan is managed by CVS/Caremark.
- You are not required to use a CVS pharmacy
- Ensure that your address is correct in SHARE for your card and plan information.



	Retail (30 Day Supply)***	Mail Order (90 Day Supply)
Out of Pocket	Combined Prescription and Medical OOP Maximum	
Deductible**	\$50 Individual/\$100 Family only on Non Generics (applies to Medical annual OOP Max)	
Generic	\$6	\$17
Brand (Preferred)	30% (\$35 min/\$95 max)	\$120
Brand (Non-Preferred)	40% (\$60 min/\$130 max)	\$155
Specialty Medication (30 day supply)	\$60 Generic \$85 Preferred Brand \$125 Non-Preferred Brand	\$60 Generic \$85 Preferred Brand \$125 Non-Preferred Brand
**Deductible: \$50 Per Individual/\$100 Per Family Applies to Formulary and Non-Formulary Only		
*** Three Refills are allowed on maintenance medication before your copay will increase to the mail order copay shown above (for a 30 day supply)		

Delta Dental of New Mexico



■ **PPO NEW MEXICO PLAN**

GSD/RMD Dental Program



- **Calendar Year Deductible:**
 - Applies to Basic and Major Services
- \$50 per enrolled person
\$150 aggregate per family
- **Calendar Year Maximum:**
- \$1750 per enrolled person

Remember: 2 Cleanings, 2 Exams Per Calendar Year, No Charge!





GSD/RMD Dental Program

Benefits Overview

Benefit	In-Network	Out-of-Network
Diagnostic and Preventive Services	Plan Pays 100% deductible applies You Pay: 0%	Plan Pays 100% deductible applies You Pay: 0%*
<ul style="list-style-type: none">• Oral Exams (two routine per calendar year)• Routine or Periodontal Cleanings (two per calendar year or up to two additional for specified at-risk medical conditions)• Radiographic Images (full mouth: once every five years; bitewings: twice in a calendar year)• Topical Fluoride (through age 18, twice per calendar year)• Emergency Treatment for Relief of Pain• Sealants (through age 15, permanent molars only, three year limitation)• Space Maintainers (through age 18, five year limitation)		

*Selecting a Non-Participating Provider may result in higher out-of-pocket expenses, even when there is no change in Benefit level between in-network and out-of-network Benefits. Non-Participating Providers do not accept Delta Dental's Maximum Approved Fees as payment in full. You will be financially responsible for balance billed amounts, or amounts that exceed the Non-Participating Provider's reimbursement.



GSD/RMD Dental Program

Benefits Overview

Benefit	In-Network	Out-of-Network
Basic Services	Plan Pays 80% deductible applies You Pay: 20%	Plan Pays 55% deductible applies You Pay: 45%*
<ul style="list-style-type: none">• Amalgam or composite resin fillings• Extractions - non-surgical• Periodontics - non-surgical / surgical treatment of gum disease• Endodontics - pulp therapy and root canal filling• Repairs crowns, implants, on lays, bridges, partial or complete dentures• General Anesthesia - intravenous sedation & general anesthesia, when dentally necessary and administered by a licensed provider for a covered oral surgery procedure• Oral Surgery – maxillofacial surgical procedures of the oral cavity, including surgical extractions• Stainless steel crowns – primary teeth only• Adjustments to partial or complete dentures		

* The 55% benefit level is based on a fee schedule that is different from the fee schedule applicable to PPO New Mexico providers. Because approved amounts may be less and dentists MAY balance bill patients, out-of-pocket costs in addition to co-insurance shown are likely.

GSD/RMD Dental Program Benefits Overview



Benefit	In-Network	Out-of-Network
<p align="center">Major Services</p>	<p align="center">Plan Pays 60%* deductible applies You Pay: 40%*</p>	<p align="center">Plan Pays 35%* deductible applies You Pay: 65% plus Balance Billing*</p>
<ul style="list-style-type: none"> • On lays, Crowns and Cast Restorations – when teeth cannot be restored with amalgam or composite resin restorations • Prosthodontics – procedures for construction of fixed bridges, partials or complete dentures • Implants – specified services and related prosthodontics, subject to clinical review/approval 		

* The 35% benefit level is based on a fee schedule that is different from the fee schedule applicable to PPO New Mexico providers. Because approved amounts may be less and dentists MAY balance bill patients, out-of-pocket costs in addition to co-insurance shown are likely.

GSD/RMD Dental Program Benefits Overview



Benefit	In-Network	Out-of-Network
ORTHODONTIC SERVICES No deductible		
Children -- up to 18 th birthday Plan Pays 75% up to a \$2000 <u>lifetime</u> maximum Adults -- age 18 and over Plan Pays 60% up to a \$1750 <u>lifetime</u> maximum		

There are Limitations and Exclusions not covered in this Benefits Overview.
Refer to the Dental Benefit Handbook for complete coverage information.

Vision Plan Eye Med



In-network coverage

- Exams - \$10 co-pay. Once every calendar year.
- Frame allowance - \$150 + 20% off out of pocket expense.
 - Additional Discounted Lens Options & Coatings available.
 - Frames available every other calendar year.
- Contact Lens allowance - Every 12 months, \$150 retail allowance toward provider supplied contact lenses, plus 15% off balance.

Plan allows members to receive either contacts and frame, or frames and lens services.

Vision Plan Eye Med



Additional benefits with Eye Med:

- 40% off complete additional pairs of glasses. Without limit.
- 20% off non-prescription sun glasses.
- 15% off laser vision correction.
- Discounts on hearing exam and aids.
- Members who combine an eye exam and new glasses save an average of 71% off retail prices.

Register @ member.eyemedvisioncare.com/sonm

Eye Med Vision Plan



■ OUT -OF-NETWORK BENEFITS:

You may receive services from an out-of-network provider, although you will receive the greatest value and maximize your benefit dollars if you select a provider who participates in the network. If you choose an out-of-network provider, you must pay the provider directly for all charges and then submit a claim for reimbursement.

■ OUT-OF-NETWORK REIMBURSEMENT SCHEDULE:

- Eye Examination up to \$40 | Frame up to \$50
- Lens coating and options up to \$5
- Spectacle Lenses (per pair) up to:
 - Single Vision \$40, Bifocal \$60, Trifocal \$80, Lenticular \$100
- Elective Contacts up to \$105, Visually Required Contacts up to \$210



Employee Assistance Program (EAP)

What is EAP?

EAP is a employer pre-paid confidential service that provides the following services to employees and their dependents:

- Short-term counseling;
- Prevention/education resources; and
- Crisis intervention

...Employee Assistance Program (EAP)

What Kinds of Issues Can Be Resolved Through an EAP?

- Marital Conflict
- Drug / Alcohol Abuse
- Family Challenges
- Anxiety
- Workplace issues
- Stress
- Legal guidance
- Financial Resources
- Grief, loss and life adjustments
- Conflict Resolution
- Gambling
- Depression
- Relationship Issues
- Child, Elder and Pet Care
- Hiring movers or home repair contractors

Employee Assistance Program

EAP Provider – Well-Being Solutions

- 1-833-515-0771 or www.guidanceresources.com
Organization Web ID: SONMEAP (under the registration tab)
- 24/7/365 Telephonic Consultation
- Monthly Newsletters
- Confidential Emotional Support
- Work-Life Solutions
- Legal Guidance
- Financial Resources
- Online Support



Flexible Spending Account (FSA)

Administrative Services provided by:



ERISA TRUST COMPANY

EASI

Erisa Administrative Services, Inc.

Mailing Address:

Erisa Administrative Services, Inc. (EASI)

Attn: FSA

1200 San Pedro Dr. E

Albuquerque, NM 87110

Contact information:

Phone: (855) 618-1800 (press 2) or 505-244-6000

Fax: 505-244-6009

E-mail: SONM@easitpa.com

Website: <https://www.mybenefitsnm.com/FSA.html>



What is a Flexible Spending Account (FSA)?

- The FSA is a program that allows you to set aside money for eligible expenses prior to taxes being withheld.
- A minimum tax savings of 7.65% can be gained from Flexible Spending Accounts.
- You can use the account throughout the year to get reimbursed for eligible health care and dependent care expenses.



Health Care FSA

- Maximum annual contribution: \$3,050.00
- Minimum annual contribution: \$130.00
- Reimbursement of approved medically necessary expenses via:
 - Benefits Debit Card.*
 - Claim submission, with payment sent by check or direct deposit.

Eligible Health Care Expenses (FSA)

- You can use your debit card to pay for medically necessary expenses, this includes:
 - Out of pocket medical expenses such as co-pays, co-insurance, and deductibles.
 - Non cosmetic dental expenses
 - Vision care expenses
 - OTC (Over the Counter) medications now eligible without LMN (Letter of Medical Necessity).
 - Visit <https://sig-is.org> to confirm eligible expenses.



Where can I use my Benefits Card? (FSA)

- At a hospital or doctor's office*
- At a dentist office*
- At your vision care provider*
- At any chain pharmacy or grocery store for prescriptions

*Erisa may request participants to provide a receipt or Explanation of Benefits (EOB) showing your name, medical provider, date, amount and what service was received.





Ineligible Expenses (FSA)

- Expenses incurred at merchants that are not health care providers.
- Expenses that aren't medically necessary.
- Expenses for services that have yet to be incurred.
- Expenses incurred prior to your eligibility in the plan.
- Expenses incurred after you've exhausted your balance.

Dependent Care Benefit Account (DCFSA)

- Minimum annual payroll deduction \$130.00
- Maximum annual payroll deduction of \$5,000.00 per family.
- The household limit is \$10,000, but the State limits maximum elections per individual to \$5,000 annually.
- The purpose of Dependent Care is to allow an employee and their spouse to work, or look for



Eligible Dependent Care Expenses (FSA)

Example Services Eligible for Reimbursement

- All Children must be age 12 or younger for reimbursed services to qualify
- Adult Daycare
- Agency Fees/Application Fees (required to obtain daycare services)
- Babysitter for work-related care (both day and night)
- Before and After School Care
- Day Camp (summer school or specialized day camps such as computer, soccer or dance)
- Care for services related to disability
- Child Daycare
- Custodial Care Expenses
- Tuition for nursery school/Pre-K
- Emergency Daycare
- Employment, FICA and FUTA Taxes (if you are employing the caregiver as an employee)
- Late Pickup Fees for Daycare (related to late pickup of child due to work delays)

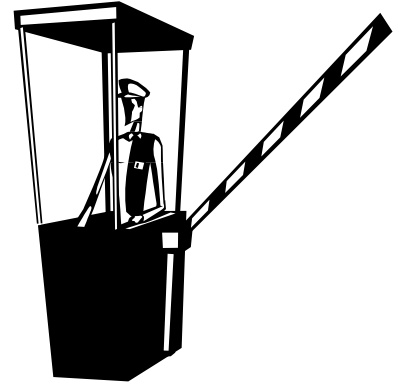


Ineligible Dependent Care Expenses (FSA)

Example Services NOT Eligible for Reimbursement

- Children age 13 and older cannot benefit from the dependent care FSA option.
- Activity and Recreation fees (such as soccer shirts, field trip expenses, etc.)
- Assisted Living costs
- Background Check fees
- Boarding School
- Diaper fees (not eligible even if submitted by the service provider)
- Household Services/Maid (such as cleaning and other unrelated services to daycare)
- Medical Expenses (all medical expenses must be reimbursed through the Medical FSA option)
- Nursing Home associated costs (not eligible)
- Overnight Camps (only Day Camp services are eligible)
- Transportation fees by anyone other than the caregiver
- Tuition Costs for education of Kindergarten grades or higher, other than preschool or Pre-K are not eligible
- Prepaid Fees cannot be reimbursed until services are rendered

Transportation Reimbursement Program (FSA)



- The Transportation Reimbursement Program offers a way for employees to pay for commuting costs utilizing pre-tax dollars.
- Eligible expenses for transit include expenses associated with using any public or privately operated transit service.
- May enroll at any time.
- Covers employee expenses only.



Transportation Benefits (FSA)

Qualified Transportation benefits include:

- Mass-transit/Van-Pooling
 - Transit may be a publicly or privately operated vehicle that seats at least 6 adults.
 - Maximum election of \$270 per month minimum \$5
- Qualified parking is parking at or near your place of employment.
 - Maximum election of \$270 per month minimum \$5
- Submit claims or access your account online or with the available mobile app.

Benefits Debit Card



- Available for both Health and Dependent Care.
- Allows you to pay for qualified expenses directly from your FSA at the time of service.
- May still require additional documentation.
- 2 card provided. Additional cards cost \$10.

FSA - How to Submit a Claim Electronically

- When submitting a claim to Erisa, make sure to include the appropriate supporting documentation.
- Claims may be submitted via:
 - Online at BenefitsbyET.LH1ondemand.com
 - Mobile App: BenefitsbyET
 - Username: Employee ID# (SHARE ID)
 - Password: Last 5 #s of SSN + EASI

How to Submit a Paper Claim

- Access paper forms on our website.
- Include all appropriate documentation, including receipts/EOBs and letters of medical necessity (if required).

Email: FSA@easitpa.com

Fax: (505) 244-6009

Phone: (855) 618-1800

Mail: Flexible Spending Accounts
Erisa Administrative Services, Inc.
1200 San Pedro Dr. NE
Albuquerque, NM 87110

FSA - Questions

- If you have any additional questions, please contact Erisa at 1-855-618-1800 (press 2).
- You may also email us at FSA@easitpa.com
- Business Hours from Mon - Fri 8:00 am to 5:00 pm

FSA Eligible Expenses: <https://sig-is.org>

FSA Phone App Info: <https://www.mybenefitsnm.com/FSA.htm>

FSA Online Claim Submission: <https://www.mybenefitsnm.com/FSA.htm>

FSA Erisa Administrative Services E-mail Addresses:

<https://www.mybenefitsnm.com/FSA.htm>

FSA Homepage: <https://www.mybenefitsnm.com/FSA.htm>

Erisa Trust Phone App: <https://www.erisatrust.com/sonm>





Erisa Administrative Services, Inc.

Disability Insurance – OPTIONAL

(Employee pays 100% of the cost after tax)

■ **Short Term Disability:**

- Elimination Period: 28 calendar day waiting period (no benefits paid out during this time).
- 60% of gross weekly earnings (less any deductible sources of income) to max of \$500 and a maximum of 26 weeks.
- No pre-existing conditions.
- Must participate for one year prior to begin receiving benefits.
- Employee can not receive more than 100% of his/her pre-disability earnings with sick, annual, etc and disability benefit combined.



Erisa Administrative Services, Inc.

Disability Insurance – OPTIONAL

(Employee pays 100% of the cost)

- **Long Term Disability:**
 - LTD begins once STD has ended as long as the employee is still disabled.
 - 40% of monthly earnings (less any deductible sources of income) to a maximum of \$2,000 per month.
 - Must apply for SSDI, PERA and appeal all denials.
 - Your LTD will be reduced by deductible sources of income.
 - 18 month maximum benefit.



**Long Term Disability Insurance,
Short Disability Insurance, and
Term Life Insurance**

for

**Judges & Attorneys including
non-attorney Magistrate Judges**



For more information please contact

Danine Baca

Email: danine@fincepts.com

Phone: 505-983-9646

Action Required: Please complete the Disability Form for Principle Life Insurance Company to either accept or waive the coverage

Basic Life Insurance

The Hartford

(Paid 100% by the State)

- All employees receive \$50,000 in basic life insurance coverage.
- Employee must designate a beneficiary by completing a Beneficiary Designation Form.
- If making changes to your beneficiary, you must fax a copy of the Beneficiary Designation Form to Erisa 505-244-6009.



Supplemental Life Insurance

The Hartford

- Additional Life coverage amount is the choice of increments of \$10,000 up to \$500,000.00.
- Evidence of Insurability (EOI) is required for amount of coverage in excess of \$150,000.
- Complete the Medical History Statement Form to receive EOI.

Basic Dependent Life Insurance

The Hartford



■ Dependent Life

- \$10,000 increments of coverage for Spouse and Domestic Partner up to \$250,000.00.
- Spouse's coverage over \$30,000 requires EOI.
- \$5,000/\$10,000/\$15,000 coverage for Children
- Website: <https://www.mybenefitsnm.com/TermLife.htm>

Also through the Hartford



- **Accident Insurance:**

With Accident insurance, you'll receive a cash benefit for each covered injury and related services.

- **Critical Illness Insurance**

With Critical Illness insurance, you'll receive a lump-sum payment when a covered illness is diagnosed.



- **The State of New Mexico is offering Employees the following plans through Aflac:**
- **Accident Insurance**
- **Cancer Insurance**
- **Critical Illness Insurance**
- **Permanent Life Insurance with accelerated benefits for Long Term Care**
- **Text "SONM" to 362-50 on your mobile device to find plans, rates & videos**



Globe Life

Employee Services Division

- **The Employee Services Division of Globe Life (ESD)** offers supplemental life and cancer insurance for government employees.
- **Whole Life Insurance:** This coverage stays with you if you change jobs or retire
- **First Diagnosis Cash Benefit Cancer Policy:** The first time a covered person is diagnosed with a covered cancer, the policy pays up to \$50,000 cash



MetLife

- **Accident, Cancer, and Critical Illness Insurance available from MetLife.**
- Supplemental coverage from MetLife provides you with a payment paid directly to you - not to your doctors, hospitals, or healthcare providers.

MetLife: 1-855-862-3912 <http://mlvolbenefits.com/>

Instructions

(How to Enroll in Benefits)

- Forms and Benefit Plan information can be found at www.mybenefitsnm.com
- For questions please contact Erisa Services, Inc. at 505-244-6000.
- If you are adding dependents such as spouse, domestic partner, or children, you must fax Proof of Dependency to Erisa at 505-244-6009.

Instructions

(How to Enroll in Benefits)

- Forms of Proof of Dependency include: marriage certificate, affidavit of domestic partnership, and birth certificates.
- Premium rates can be found at www.mybenefitsnm.com (also in your orientation packet)
- To enroll visit www.mybenefitsnm.com to complete online enrollment form.

INSURANCE CONTACTS

Presbyterian	1-888-275-7737	www.phs.org
Cigna	1-800-244-6224	www.myCigna.com
Blue Cross/BS	1-877-994-2583	www.bcbsnm.com
Express Scripts	1-800-743-1720	www.Express-Scripts.com
CVS/Caremark	1-877-744-5313	www.Caremark.com
Delta Dental	1-877-395-9420	www.deltadentalnm.com
Eye Med	1-844-225-3107	www.member.eyemedvisioncare.com/sonm
Flexible Spending	1-855-618-1800	www.nmflex.com
EAP	1-833-515-0771	www.guidanceresources.com
Disability (Erisa)	1-855-618-1800	www.mybenefitsnm.com/Disability
EE Benefits Bureau	1-505-827-2036	www.generalservices.state.nm.us/riskmanagement/
Erisa	1-505-244-6000	
Stay Well Health	1-505-570-4949	www.staywellnm.proactive-md.com



- 457B plan through PERA SmartSave.
- Pretax deferrals (similar to a 401-K plan but without the employer match).
- Lowers your taxable income while saving for retirement.



How to enroll in the Plan

- To enroll, go to **PERASmartSave.voya.com**, select Ready to Enroll (on the bottom right of the screen), then follow the enrollment instructions. After you have completed your enrollment, Voya will send you a Personal Identification Number (PIN) in the mail.



Public Employees Retirement Association (PERA) – State Plan 3

- PERA is a mandatory condition of employment and is a benefit plan to pay retirement benefits when certain eligibility requirements (a combination of age and service credits) are met.
- Retirement
 - State contributes 18.74% of gross salary.
 - Employee contributes 10.92% of gross salary and is fully vested in their portion immediately. Employees earning < \$25k/year contribute 7.42% of gross salary to PERA.
- Retiree Health Care
 - State contributes 2% of gross salary.
 - Employee contributes 1% of gross salary



Upcoming PERA Changes

CHANGES TO PERA EMPLOYEE / EMPLOYER CONTRIBUTION RATES:

Effective Date:	Employee Contribution:	Employer Contribution:	% Change:
7/1/2020 (PP begin 6/27/2020)	9.42%	17.74%	+ .50%
7/1/2021	9.92%	18.24%	+ .50%
7/1/2022	10.42%	18.74%	+ .50%
7/1/2023	10.92%	19.24%	+ .50%
Automatic Reduction if the funded ratio is equal to or greater than 80%			- .50%
Reduction if the funded ratio is equal to or greater than 90% but less than 100%			-1.0%
Reduction if the funded ratio is 100%			-2.0%

PERA

Tier 1 – Members hired prior to 7/1/13 can retire:

- After 25 yrs regardless of age at 75% of your 3 highest years of service.
- After 26 years & 8 months employees receive 80% of their 3 highest years of service.
- Fully vested in retirement plan after 5 years.

General members who were hired on or after 7/1/13 and were originally employed in plans are now members of Tier 1.

Effective 7/1/13, new legislation established 2 benefit tiers under each PERA coverage plan, Tier 1 & Tier 2. You are in Tier 1 if hired for the first time on or before 6/30/13; had member contributions on account as of 6/30/13 or were retired as of 6/30/13.

See PERA website for additional information:

<http://www.pera.state.nm.us>

PERA

Tier 2 – Members hired after 7/1/13 can retire:

- At any age and have 30 or more years of earned service credit.
- Rule of 85 – members must have 5 or more years of service credit and age at time of retirement and years of service credit must equal 85; or
- At age 65 with 5 or more years of service credit.
- Fully vested in retirement plan after 5 years.

General members who were hired on or after 7/1/13 and were originally employed in plans are now members of Tier 1.

Effective 7/1/13, new legislation established 2 benefit tiers under each PERA coverage plan, Tier 1 & Tier 2. You are in Tier 1 if hired for the first time on or before 6/30/13; had member contributions on account as of 6/30/13 or were retired as of 6/30/13.

See PERA website for additional information: <http://www.pera.state.nm.us>

PERA Tiers

- Effective July 1, 2013, new legislation established two benefit tiers under each PERA coverage plan.
- **TIER 1**
Individuals that are hired for the first time *on or before June 30, 2013*; or had member contributions on account as of June 30, 2013; or retired as of June 30, 2013.
- **TIER 2**
Individuals who are hired for the first time *on or after July 1, 2013*; or refunded employee contributions on or before June 30, 2013, and returned to work for a PERA affiliate on or after July 1, 2013.

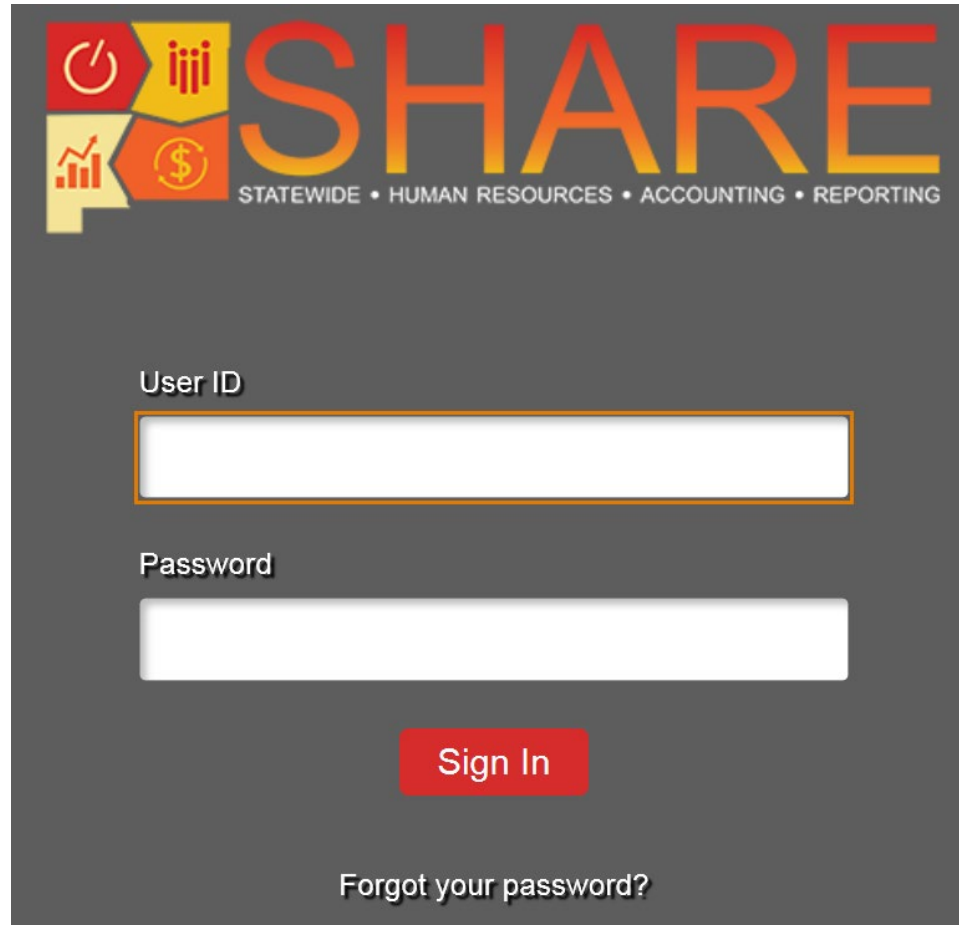
PERA Part-time Employees

- If classified as regular part-time, hours must remain between 20 to 29 hours/week.
- If the employee works more than 29 hours, they will be classified as regular full time and a membership application will need to be submitted.
- As of July 1, 2014, need to work 30 hours or more per week , totaling 60 hours or more hours in an 80-hour pay period to earn one month of service credit.
- If you work between 20 and less than 30 hours per week, totaling between 40 and less than 60 hours in an 80-hour pay period you will earn one month of service credit for every 2 consecutive calendar months worked.

Payroll

- All employees are responsible to ensure that their timesheets are coded correctly and that all time is entered on a weekly basis.
- New employees will receive access to their time sheet through Oracle – PeopleSoft Enterprise.
- The SHARE team will send you and your HR Administrator your user I.D. and your first time password.

To access your timesheet:



The image shows a login interface for the SHARE system. At the top, there is a logo consisting of four colored squares (red, yellow, yellow, red) containing icons: a power button, a bar chart, a bar chart with a dollar sign, and a dollar sign. To the right of these squares, the word "SHARE" is written in large, bold, orange and red letters. Below "SHARE", the text "STATEWIDE • HUMAN RESOURCES • ACCOUNTING • REPORTING" is displayed in a smaller, grey font. Below the logo and text, there are two input fields: "User ID" and "Password". The "User ID" field is a white rectangle with an orange border. The "Password" field is a white rectangle with a grey border. Below the "Password" field is a red button with the text "Sign In" in white. At the bottom of the form, there is a link that says "Forgot your password?" in a grey font.

If you are unable to logon after two attempts, please stop there, sign out of the system and contact the Help Desk at 505-827-2121 for assistance.

To access your timesheet:

Access your timesheets through the Employee Self Service **Timesheet Entry** tile to save time.

Employee Self Service ▾

Careers



Time



Payroll



Last Pay Date **10/21/2022**

Personal Details



Enter actual hours worked:

April 1, 2023 - April 14, 2023

Scheduled 80.00 | Reported 80.00

*View By Period

Submit Print Timesheet

Time Reporting Code	Row Totals	1 Sat	2 Sun	3 Mon	4 Tue	5 Wed	6 Thu	7 Fri	8 Sat	9 Sun	10 Mon	11 Tue	12 Wed	13 Thu	14 Fri	Business Unit	Combination Code	ChartFields	
06 ANNU - Annual Leave Taken	15.00	+	-			8.00	7.00									21800	Q	ChartFields	
02 REGHR - Regular Hours Worked	57.00	+	-				8.00	9.00	8.00			8.00	8.00		8.00	8.00	21800	Q	ChartFields
07 SICKT - Sick Leave Taken	8.00	+	-										8.00				21800	Q	ChartFields

- Enter all hours worked (e.g. 9 hours on Monday vs. 8 hours)
- Choose the appropriate Time Reporting Code (TRC)
- Click “Submit”



Fair Labor Standards Act (FLSA) - What is it?

Identifies compensable hours, defines overtime and overtime compensation

Before you work any overtime or extra hours you must have pre approval from your Supervisor and Division Director

FLSA

Non-Exempt vs Exempt

Non-Exempt

Entitled to overtime compensation at one and one-half times their regular rate of pay for hours worked beyond 40 in a work week.

Exempt

Not covered by FLSA, may with prior approval receive compensatory time at straight time for hours worked beyond 80 in a pay period (not including at-will exempt employees).

Breaks



Breaks are not mandatory.

May be permitted:

- One 15 minute mid-morning break
- One 15 minute mid-afternoon break.

Breaks are not accumulated, cannot cover for later arrival to work, extended lunch hours, or early departure from work.

Break times are counted as hours worked.

Pay Day



- Bi-weekly on Friday.
- Pay period runs Saturday to Friday.
- Direct deposit is required.
- Employees can only have one direct deposit, multiple accounts are not allowed.

Mandatory Paycheck Deductions 7/1/2023 – 6/30/2024 (FY24)

Quarterly Worker's Compensation Tax - \$2.00

Deduction	Employee Share	State Share
FICA (social security) 2022 Cap - \$145,000	6.20%	7.65%
Medicare	1.45%	1.45%
PERA	10.98%*	19.4%
Retiree Health Care - PERA	1%	2%

* Employees earning > \$25k/year contribute 7.42% to PERA

Payroll Deductions

- It is the employee's responsibility to ensure and verify the correct deductions and insurance premiums are withdrawn from their pay check.
- If there is an error please contact AOC HRD/District HR immediately!
- Your first insurance deductions will be taken out of your paycheck on _____.



DISCLAIMER

Disclosure Statement:

The information contained within this New Employee Orientation presentation is subject to change without notice and while it is intended to be as accurate as possible it is also by nature - strictly an overview and cannot possibly address all circumstances.

Please refer to NMJB and the AOC Policies and procedures; PERA policies; General Services Department website; and any applicable state and federal laws.

Administrative Office of the Courts

Human Resources Division

Email: AOC HRD-grp@nmcourts.gov

Phone: 505-470-7205

- **AOC Human Resources Director**
Tamara Roybal
- **AOC Human Resources Deputy Director**
Victoria Sandoval
- **AOC HR Statewide Project Manager Senior**
Samantha Abeyta
- **AOC HR Administrator**
Aubreigh Ford
- **AOC HR Administrator**
DeVonna Burns
- **Business Specialist II**
Sara Trujillo
- **AOC HR Services Manager**
Katarina Delgado
- **AOC HR Project Manager**
Tyra J. Chavez
- **AOC HR Project Manager**
Vacant
- **Business Specialist II**
Faith Montoya
- **AOC HR Administrator**
Vacant
- **Business Specialist II**
Sylvia Rodriguez



THANK YOU!

FOR MORE INFORMATION

- Please contact your AOC HR Administrator
- Check the websites available
- Call the insurance carriers toll free numbers



Lets now complete your forms!

