



**NEW MEXICO JUDICIAL BRANCH
PERSONNEL RULES PART I**

Form No. 2014.NMJBPR.160

ON-CALL/STAND-BY & CALL BACK PAY REQUEST AND AGREEMENT FORM

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REFERENCE

- On-Call/Stand-By Time - Is defined as non-duty hours when an employee is required to remain available by telephone or another electronic contact in order to be available to assist in resolving a critical issue and/or return to the workplace within a reasonable and pre-determined time if called.
- **Call-Back** – A circumstance when an employee is required by an authorized supervisor to remotely or physically return to the workplace to perform duties at times when the employee is not scheduled to work. If an employee is required to physically return to the workplace, paid time shall commence at the time the employee begins to travel to report to work and ends at the completion of the call-back assignment including their return travel time; reasonable travel time to the employee’s location and back prior to the call will be considered paid time as stated in Section 5. E. and 6. D. Call-Back worked hours will be considered time worked for the purpose of determining overtime compensation.
- The Administrative Authority or designee shall in advance, designate, and inform an employee that they are required to be on On-Call/Stand-By status and shall set specific and reasonable time limits for expected employee response. In order for an employee to receive on-call or stand-by pay, they must be pre-designated and must have signed the NMJB On-Call/Stand-by and Call-back Pay Request and Agreement Form approved by the AOC Director.
- An employee on On-Call/Stand-By status is not restricted or designated to his or her home, duty station, or any other location, but is restricted in their personal life and in their movement as they must be in electronic or telephone contact and (if needed, for actual on-call issues) have computer access in order to respond to an emergency or non-emergency situation.
- If required, the employee must be able to return to the workplace within a predetermined amount of time not to exceed two (2) hours.
- Under no reasonable circumstances can employees designated in advance as on On-Call/Stand-By refuse to respond to a call. An employee who fails to respond or who cannot be reached while on compensated On-Call/Stand-By status may be subject to disciplinary action.

REQUIRES AOC DIRECTOR APPROVAL

**Judicial Entity Information
(To be completed by Judicial Entity Administrative Authority or Designee
requesting the On-Call/Stand-By designation.)**

Judicial Entity:	Requested By:
Contact Name:	Contact Phone:
Employee Information	
Employee:	Employee ID:
Job classification:	Position #:



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Current Hourly:	
Assigned Work Schedule and Proposed On-Call/Stand-By Schedule:	
<i>(Include specific days/hours the employee is assigned to work, attach the on-call/stand-by schedule to support this request, and send any revisions as they occur)</i>	
Detailed justification: Explain in detail the need for the On-Call/Stand-By status.	
Proposed begin and end dates:	
BEGIN _____ END _____	
(Must be reevaluated and reapproved annually)	
ADMINISTRATIVE AUTHORITY APPROVAL SIGNATURE	
Requested By:	Date:
(Print & Sign)	

TO BE COMPLETED BY HR	
Human resources representative signature confirming compliance with the NMJBPR, Code of Conduct, and applicable policies	
Received By:	Date:
(Please Print & Sign)	
RECOMMENDATION:	
Approve as submitted: <input type="checkbox"/> YES <input type="checkbox"/> NO Approve as revised: <input type="checkbox"/> YES <input type="checkbox"/> NO	
RECOMMENDED REVISIONS:	



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REQUIRES AOC DIRECTOR APPROVAL

Approved: YES NO

AOC Director Signature

Date

After receiving Administrative Authority Approval the requesting Judicial Entity must submit to AOC HRD-group@nmcourts.gov and receive AOC Director approval prior to having the employee work on-call/stand-by hours, or be paid for on-call/stand-by time.

EMPLOYEE ACKNOWLEDGEMENT & AGREEMENT TO THE CONDITIONS OF BEING DESIGNATED ON-CALL AND STAND-BY:

- I understand that as of the above date I have been designated to be on-call/stand-by.
- I understand that I must be designated in advance as being on-call/stand-by in order to submit hours reporting on-call/stand-by payment.
- I understand that while I am designated on-call/stand-by I MUST be in electronic or telephone contact, and if needed for an on-call issue, I must have computer access in order to respond to an emergency or non-emergency situation.
- If required, the employee must be able to return to the workplace within a predetermined amount of time not to exceed two (2) hours.
- I understand that under no reasonable circumstances may I fail to respond to a call while designated on-call/stand-by, and that doing so may result in disciplinary action.
- I understand that while I am designated as On-Call/Stand-By I must be able to perform my job duties as required under the NMJB Drug-Free and Alcohol-Free Workplace Policy and be fit for duty.

Employee Signature

Date

CC: Employee; Employee Confidential Personnel File; AOC HRD Judicial Entity Central File