



NEW MEXICO JUDICIAL BRANCH

Policy No. 2023.NMJB.220

GENERAL PERSONNEL POLICY AND PROCEDURE: New Mexico Judicial Branch Inclement Weather Policy

Dev.: Dev: 10/2/07; Revised 03/17/22, 11/15/23, 7/1/25
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INCLEMENT WEATHER POLICY

1. PURPOSE

The purpose of this policy is to establish the procedure regarding schedule abbreviations and closures of a judicial entity when inclement weather causes hazardous road/travel conditions. If no notice of abbreviation or closure is issued, the judicial entity is open.

2. POLICY CONSIDERATIONS

Serving the public is a priority for the Judiciary, as are safety considerations of employees and jurors. When there is inclement weather, the courts will, to the extent possible, remain open and accessible to the public during normal business hours. When inclement weather causes hazardous road/travel conditions, the persons authorized in Section 6 herein (Closure Authority) are delegated the authority to abbreviate the work schedule or close the operations of the judicial entity.

3. DEFINITIONS

- A. 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.
- B. Closure Authority** - The judicial entity's administrative authority or their designee.
- C. Designated Employee** - An employee who performs duties determined to be required to assure that necessary services will be provided, as determined by the Administrative Authority.
- D. Inclement Weather Causing Hazardous Road/Travel Conditions** - Weather and road conditions in the immediate area where the work site is located that result in making travel dangerous to and from the judicial entity worksite.

4. LEAVE

When the Closure Authority determines that the work schedule should be abbreviated or the judicial entity should be closed because of inclement weather causing hazardous road/travel



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conditions, employees not required to report to work shall use the time reporting code Inclement Weather (INCWE).

Employees on an approved telework schedule or on pre-approved leave at the time the delay, early release or closure is announced are not entitled to the administrative leave - Inclement Weather (INCWE).

5. CLOSURE/ABBREVIATION CONSIDERATIONS

When school is in session, the Closure Authority may choose to follow the local school district's announcement of a delayed opening, early release, closure, or remote learning due to inclement weather. Should the Closure Authority choose not to follow the school announcement, or when school is not in session, the Closure Authority shall consider the following when deciding to abbreviate the work schedule or close the operations of the judicial entity:

- a. Local weather reports and conditions;
- b. Other public office delays or closures;
- c. Information from the Department of Transportation and/or local law enforcement regarding road/travel conditions;
- d. Coordination with county personnel (if necessary) for building safety issues;
- e. Impact of remote learning on the workforce and the court's ability to operate with limited personnel.

6. COMMUNICATION OF ABBREVIATED SCHEDULE OR CLOSURE

- a. The Closure Authority must immediately notify the AOC Director and the Chief Justice of the Supreme Court of abbreviation or closure.
- b. The Closure Authority of a judicial entity in the same geographical location as other judicial entities shall coordinate, to the extent possible, the abbreviation and closures with neighboring Closure Authorities.
- c. Prompt and proper notification of any abbreviation or closure shall be made by the Closure Authority to the affected court personnel, the general public, relevant public agencies, and the local area media.

- (1) If the Closure Authority has chosen to follow the local school district's announcement, the school district's announcement shall be sufficient notice to the court employees.



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- (2) If the Closure Authority has chosen not to follow the school district's announcement, or if school is not in session, prompt notification of the public and employees is required.
- d. Employee Notification - Each judicial entity shall establish and publish an internal policy regarding how notice of abbreviation or closure will be disseminated. If the policy is changed, prompt notice to employees of the revised policy shall be given.

7. DESIGNATED EMPLOYEES

- a. The Administrative Authority or designee shall:
 - (1) determine essential services to be provided to the judicial branch notwithstanding any abbreviation or closure under this policy;
 - (2) identify in writing by name and job title which employees provide those essential services, and who are therefore considered Designated Employees,
 - (3) notify all Designated Employees and AOCHRD of their status and inform them that they will be required to report for work as provided in this policy.
- b. Each Designated Employee shall report to work notwithstanding any closure or scheduled abbreviation unless the particular employee:
 - (1) has decided that there is an unreasonable risk of harm involved in reporting to work as provided in Section D of this policy; or
- c. Has otherwise been notified by the Administrative Authority, or
- d. When there is a closure or scheduled abbreviation of the work schedule, a Designated Employee must decide whether it is possible to report to work without creating an unreasonable risk of harm by traveling during inclement weather. If the Designated Employee is unable to report to work, the Designated Employee shall make a diligent effort to immediately inform the Administrative Authority or designee who may require the Designated Employee to:
 - (1) Report to a pre-designated alternative work site, or;
 - (2) Work from home.
- e. A Designated Employee who works during inclement weather shall be awarded administrative compensatory time, on an hour for hour basis for work performed during the closure or abbreviation. An employee who is not otherwise eligible to earn



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compensatory time off is not eligible to earn compensatory time under this policy, even if they are a Designated Employee.

- f. Employees who are not Designated Employees may be added to the list of Designated Employees based on the operational needs of the judicial entity at the time a closure is announced with Administrative Authority prior approval, and agreement from the employee.
- g. Employees who are not Designated Employees shall not be awarded administrative compensatory time for hours worked during a closure or abbreviation of the work schedule, and may take the inclement weather delay, early release, or closure.

FINAL APPROVAL



Karl W. Reifsteck, AOC Director
Administrative Office of the Courts



Date