

NOTICE OF RULEMAKING

The New Mexico Department of Workforce Solutions (“Department” or “NMDWS”) hereby gives notice that the Department will conduct a public hearing in the Rio Grande Conference Room of the Toney Anaya Building located at 2550 Cerrillos Road in Santa Fe, NM 87505 on November 21, 2019 at 10:00 am.

The purpose of the public hearing will be to obtain input and public comment on the proposed repeal and replacement of 11.1.2 NMAC Labor General Provisions, Public Works Minimum Wage Act Policy Manual.

Summary: The proposed changes are necessary to update the prevailing wage and fringe benefit rates to be effective January 1, 2020. The updated rule also implements changes to the policies and procedures regarding enforcement of the Public Works Minimum Wage Act as well as amending the process for determining the zone and subsistence pay rates for public works projects.

Under Section 9-26-4, NMSA 1978, the Workforce Solutions Department is responsible for the administration of the labor relations division which oversees setting the prevailing wage and fringe benefit rates. Pursuant to Section 13-4-11, NMSA 1978, the Director of the Labor Relations Division shall determine the prevailing wage rates and the prevailing fringe benefit rates.

Interested individuals may testify at the public hearing or submit written comments to State of New Mexico Department of Workforce Solutions, 401 Broadway NE, P.O. Box 1928, Albuquerque, N.M., 87103, attention Andrea Christman. Written comments must be received no later than 5 p.m. on November 20, 2019. However, the submission of written comments as soon as possible is encouraged.

Copies of the proposed rules may be accessed at <http://www.dws.state.nm.us/> or obtained by calling Andrea Christman at (505) 841-8478 or sending an email to Andrea.Christman@state.nm.us. The proposed rules will be made available at least thirty days prior to the hearing.

Individuals with disabilities who require this information in an alternative format or need any form of auxiliary aid to attend or participate in this meeting are asked to contact Ms. Christman as soon as possible. The Department requests at least ten (10) days advance notice to provide requested special accommodations.