

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 conference room of the Human Rights Bureau located at 1596 Pacheco Street Suite 103 in Santa Fe, New Mexico, 87505 on May 24, 2022 from 1:00 pm to 3:00 pm. The public comment hearing will also be conducted virtually.

<https://us06web.zoom.us/j/88600493602?pwd=WWhOdGVKYzZXZktOTzMrTTBaMkUyUT09>

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This hearing is a continuation of the public comments hearing that was held on April 5, 2022 which was ended prematurely due to technical difficulties. The purpose of this public hearing will be to obtain input and public comment on proposed regulations for implementing and enforcing the Healthy Workplaces Act enacted under 50-17-1 NMSA 1978 et seq. All comments received previously for the April 5, 2022 hearing will be accepted as part of this continued hearing and will be considered.

Summary: The proposed regulation sets forth the process for implementation of the Healthy Workplaces Act to include definitions of key terms pertaining to the Act, establishing employer policies for accrual and usage of earned sick leave by employees, compliance requirements and measures, notice requirements, the complaint process, enforcement procedures, and confidentiality requirements.

Under Section 50-17-9, NMSA 1978, the Labor Relations Division of the Department of Workforce Solutions is authorized to coordinate the implementation and coordination of the Healthy Workplaces Act and to promulgate appropriate rules to implement the Act.

Interested individuals are encouraged to submit written comments to the New Mexico Department of Workforce Solutions, P.O. Box 1928, Albuquerque, N.M., 87103, attention Andrea Christman prior to the hearing for consideration. Written comments must be received no later than 5 p.m. on May 23, 2022. However, the submission of written comments as soon as possible is encouraged. All comments previously submitted either in writing or orally at the April 5, 2022 hearing will be considered.

Copies of the proposed rule may be accessed online at <https://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 rule 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.