

A look at the various paid sick leave bills introduced in the 2021 New Mexico Legislature (as of January 19, 2021).

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## **HB 20**

“Healthy Workplaces Act”

Christine Chandler  
Daymon Ely  
Mimi Stewart

Provides sick leave for the purpose of seeking diagnosis or treatment for a physical or mental illness or condition, the care of a family member with the same, or for remedying domestic abuse, sexual assault, or stalking.

Employees earn one hour of sick leave for every thirty worked. Employees of employers with fewer than 10 employees can earn up to 40 hours in a 12-month period. Employees of employers with more than 10 employees can earn up to 64 hours in a 12-month period.

Leave can be used as it is accrued, and carries over year-to-year, however, employers need not allow more hours than the above maximum to be redeemed in a year because of this.

Employees not required to find a replacement for their missed shift.

Private paid sick leave programs allowed in place of public plan.

## **HB 37**

“Paid Sick Leave Act”

Angelica Rubio  
G. Andrés Romero  
Patricia Roybal Caballero

Provides paid sick leave for the purpose of seeking diagnosis or treatment of a physical or mental illness or condition, the care of a family member with the same, and for distress resulting from sexual assault, domestic abuse, or stalking.

At least one hour of leave provided for every thirty worked, leave may be provided as a lump at the beginning of the year. Max. 56 hours

Paid sick leave may be loaned by the employer.

Employees not required to find a replacement for their missed shift.

Paid sick leave hours can be carried over to another year.

Extra two weeks for pandemic-related illness.

Private paid sick leave programs allowed in place of public plan.

## **HB 38**

“Paid Family and Medical Leave Act”

Christine Chandler  
Patricia Roybal Caballero

Leave can be taken to bond with a newly born child, a newly adopted child, or a child newly placed for foster care, or to care for a family member with a serious health condition.

Creates a trust fund to be paid into by employees. Fund to be used to pay compensation to those who paid in, in the case of them taking leave, and for the administration of the leave program.

All public and private employees under jurisdiction of the state will have 0.5% of their income placed in the trust fund.

Employers will have 0.4% of earnings assessed to the fund. Self-employed who opt-in will have 0.9% of earnings assessed to fund.

Private leave programs in place of the public plan allowed.

Employees can apply and receive up to twelve non-consecutive weeks in a twelve-month period.

Leave-takers paid minimum wage + 67% of avg weekly earnings above minimum wage.