

SENATE MEMORIAL 1

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

A MEMORIAL

REQUESTING THE WORKFORCE SOLUTIONS DEPARTMENT TO CONVENE A TASK FORCE TO FINISH THE WORK OF RECOMMENDING LEGISLATION FOR PAID FAMILY AND MEDICAL LEAVE AND REPORT TO THE GOVERNOR AND THE LEGISLATURE BY OCTOBER 1, 2022.

WHEREAS, paid family and medical leave programs have been enacted in nine states and the District of Columbia; and

WHEREAS, the urban institute reports that states with

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established paid family and medical leave programs in 2020 were better able to withstand the impacts of the economic downturn related to the coronavirus disease 2019 pandemic and experienced lesser burdens on their unemployment insurance programs; and

WHEREAS, paid family and medical leave programs are associated with improved outcomes in the earliest years of life, including higher rates of breastfeeding and immunization and lower rates of child abuse, domestic violence and financial instability; and

WHEREAS, the number of workers providing unpaid care for elder family members is increasing as the United States population over age sixty-five grows; and

WHEREAS, many working New Mexicans who experience serious medical conditions currently have limited access to paid or unpaid leave through their employers and often delay medical treatment until an emergency arises; and

WHEREAS, in 2021, the New Mexico legislature passed the Healthy Workplaces Act, which requires that employers provide at least one hour of sick leave to an employee for every thirty hours worked; and

WHEREAS, while a step in the right direction, the Healthy Workplaces Act is not comparable to the federal Family and Medical Leave Act of 1993 or the family and medical leave programs in other states; and

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WHEREAS, women-led households and communities of color face the greatest burden of caregiving for children and elders; and

Sf12→WHEREAS, paternity leave can promote parent-child bonding, improve outcomes for children, and even increase gender equity at home and at the workplace. Paid paternal leave for fathers, as well as for mothers, provides a real advantage to working families; and←Sf12

WHEREAS, the coronavirus disease 2019 pandemic has forced millions of women in the country, especially mothers, out of the workforce due to increasing family caregiving responsibilities; and

WHEREAS, New Mexico businesses are facing a worker shortage, and paid family and medical leave is associated with improved employee recruitment, retention and morale; and

WHEREAS, ninety-six percent of New Mexico businesses have fewer than fifty employees and are not required to provide unpaid leave through the federal Family and Medical Leave Act of 1993; and

WHEREAS, the costs of hiring and training new employees are a significant burden for employers; and

WHEREAS, most small businesses in New Mexico cannot afford to consistently provide employer-based paid leave benefits to their employees; and

WHEREAS, a state-administered paid family and medical

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leave trust fund is significantly less expensive for employers than a privately funded paid leave program; and

WHEREAS, the coronavirus disease 2019 pandemic has demonstrated that paid leave is critical to protecting public health and promoting economic stability and resilience;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the workforce solutions department be requested to convene a task force to develop recommendations for the enactment and implementation of a paid family and medical leave act, including the establishment and administration of a paid family and medical leave trust fund administered by the department; and

BE IT FURTHER RESOLVED that the task force include members representing:

A. a statewide nonprofit organization that provides legal services and policy expertise for women and girls;

B. a statewide nonprofit organization that provides policy expertise on the interests of children;

C. the New Mexico public health association;

D. a statewide nonprofit organization with legal and policy expertise on elder rights;

E. a statewide coalition that focuses on perinatal issues;

F. an organization representing persons with disabilities;

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G. two statewide organizations representing labor,
at least one of which represents health care employees;

H. Native American tribal government;

I. the American Indian chamber of commerce of New
Mexico;

J. two statewide organizations representing
businesses;

K. a statewide organization representing Hispano
business owners;

L. a statewide organization representing lesbian,
gay, bisexual and transgender persons;

M. a statewide organization representing African
American business owners; and

N. the bureau of business and economic research at
the university of New Mexico; Sfl1→and←Sfl1

Sfl1→O. a member of the acequia association; and
←Sfl1

BE IT FURTHER RESOLVED that the speaker of the house of
representatives and the senate president pro tempore each
appoint one small business owner; and

BE IT FURTHER RESOLVED that the task force present its
report and recommendations to the governor and the legislative
finance committee, the legislative health and human services
committee and other appropriate legislative interim committees
by October 1, 2022; and

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BE IT FURTHER RESOLVED that the report contain economic modeling of estimated yearly program costs and revenue and comprehensive cost assessments of initial and continuing implementation of a paid family and medical leave act; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the secretary of workforce solutions for distribution to the governor's cabinet and other interested persons.

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