

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 20

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Michael Padilla

AN ACT

RELATING TO EMPLOYMENT; PROVIDING FOR PAID LEAVE FOR ATTENDANCE  
OF PARENT-TEACHER CONFERENCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 50 NMSA 1978 is  
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the  
"Paid Leave Act"."

SECTION 2. A new section of Chapter 50 NMSA 1978 is  
enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in the Paid Leave  
Act:

A. "attendance" includes travel time;

B. "employee" means an individual receiving a  
salary or wages for full-time, part-time, permanent,

.197478.1

underscoring material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 probationary or temporary work under a contract of employment,  
2 whether oral or written or express or implied;

3 C. "employer" means an individual, corporation,  
4 business trust, estate, trust, partnership, limited liability  
5 company, association, joint venture, government, governmental  
6 subdivision, governmental agency, governmental instrumentality,  
7 public corporation or any other legal or commercial entity that  
8 is obligated to pay a salary or wages in compensation for an  
9 employee's work;

10 D. "fall semester" means August through December;

11 E. "parent" includes a guardian or other person, as  
12 defined in Section 22-1-2 NMSA 1978;

13 F. "school" means a public school or private  
14 school, as defined in Section 22-1-2 NMSA 1978;

15 G. "school-age person" means a school-age person,  
16 as defined in Section 22-1-2 NMSA 1978; and

17 H. "spring semester" means January through May."

18 SECTION 3. A new section of Chapter 50 NMSA 1978 is  
19 enacted to read:

20 "[NEW MATERIAL] PAID LEAVE FOR ATTENDANCE AT PARENT-  
21 TEACHER CONFERENCES.--

22 A. A parent of a school-age person is granted, per  
23 child, up to two hours' paid leave during the fall semester and  
24 up to two hours' paid leave during the spring semester for  
25 attendance of parent-teacher conferences at a school in which

.197478.1

underscoring material = new  
~~[bracketed material] = delete~~

1 the school-age person is enrolled.

2 B. An employer may require an employee to provide:

3 (1) a written request for paid leave at least  
4 seven days prior to a parent-teacher conference unless the  
5 conference is scheduled by a teacher or administrator to occur  
6 within fewer than seven days of notice to the parent; and

7 (2) documentation that, during the time of the  
8 leave, the employee attended the parent-teacher conference.

9 C. An employee shall make a reasonable effort to  
10 schedule a parent-teacher conference for a time upon which the  
11 employer agrees.

12 D. An employer who takes any adverse employment  
13 action against an employee who requests or takes leave pursuant  
14 to this section is subject to liability in a civil action by  
15 the employee. A court shall award to a prevailing employee the  
16 employee's costs of filing and litigating the civil action,  
17 including reasonable attorney fees."