

HOUSE COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 134

**55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

AN ACT

RELATING TO EMPLOYMENT; ESTABLISHING A PROGRAM TO REWARD SMALL-BUSINESS EMPLOYERS FOR THEIR ADOPTION OF FAMILY-FRIENDLY WORKPLACE POLICIES; CREATING A FUND; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] FAMILY-FRIENDLY WORKPLACE INCENTIVE PROGRAM.--

A. The "family-friendly workplace incentive program" is created in the workforce solutions department, based on work done by a task force created pursuant to House Memorial 1 of the first session of the fiftieth legislature, to encourage small-business employers to adopt and implement workplace policies, including those concerning paid leave, health support, work schedules and economic support, considered family-friendly. A private-sector employer is eligible for a

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1 financial award through the program:

2 (1) if the employer has fifty or fewer  
3 permanent full-time and permanent part-time employees in New  
4 Mexico; and

5 (2) in an amount equal to fifty percent of the  
6 cost to the employer of adopting and implementing family-  
7 friendly workplace policies.

8 B. Financial awards shall only be provided for the  
9 creation of new family-friendly workplace policies, not  
10 existing ones.

11 C. Family-friendly workplace policies that may be  
12 eligible for reimbursement shall include:

13 (1) personal leave, including school  
14 involvement, sick employee, training and professional  
15 development and vacation leave;

16 (2) maternity and paternity leave and family  
17 leave, including caring for aging parents, a child or a  
18 domestic partner;

19 (3) employer-subsidized health or dental  
20 insurance;

21 (4) wellness programs, including wellness  
22 assessments, screenings, education, health coaching, organized  
23 wellness activities, on-site preventative care, immunizations  
24 and interventions such as smoking cessation, and incentives and  
25 paid time off for participating in wellness activities;

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1 (5) employer-subsidized training and  
2 educational assistance; and

3 (6) employer-subsidized or on-site child care  
4 or dependent care.

5 D. The workforce solutions department shall work  
6 with a New Mexico organization that recognizes and supports  
7 businesses statewide that adopt and implement family-friendly  
8 workplace policies for their employees to:

9 (1) establish policies and promulgate rules  
10 for the award of money through the family-friendly workplace  
11 incentive program; and

12 (2) select recipients of those awards in  
13 accordance with its policies.

14 E. The workforce solutions department shall  
15 administer awards made through the family-friendly workplace  
16 incentive program.

17 F. The workforce solutions department shall provide  
18 an annual report to the interim committee that is concerned  
19 with economic and rural development issues.

20 SECTION 2. [NEW MATERIAL] FAMILY-FRIENDLY WORKPLACE  
21 FUND.--The "family-friendly workplace fund" is created in the  
22 state treasury. The fund consists of appropriations, gifts,  
23 grants and donations to the fund and income from investment of  
24 the fund. Money in the fund shall not revert to any other fund  
25 at the end of a fiscal year. The workforce solutions

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1 department shall administer the fund, and money in the fund is  
2 appropriated to the workforce solutions department to implement  
3 the family-friendly workplace incentive program. Money in the  
4 fund shall be disbursed on warrants signed by the secretary of  
5 finance and administration pursuant to vouchers signed by the  
6 secretary of workforce solutions or the secretary's authorized  
7 representative.

8 SECTION 3. APPROPRIATION.--Three million dollars  
9 (\$3,000,000) is appropriated from the general fund to the  
10 family-friendly workplace fund for expenditure in fiscal years  
11 2022 and 2023. Any unexpended or unencumbered balance  
12 remaining at the end of fiscal year 2023 shall revert to the  
13 general fund.

14 SECTION 4. EFFECTIVE DATE.--The effective date of the  
15 provisions of this act is July 1, 2021.

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