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HOUSE MEMORIAL 3

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

INTRODUCED BY

Linda Serrato

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 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

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1 life, including higher rates of breastfeeding and immunization
2 and lower rates of child abuse, domestic violence and financial
3 instability; and

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

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

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

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

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

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

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

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

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

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

13 WHEREAS, a state-administered paid family and medical
14 leave trust fund is significantly less expensive for employers
15 than a privately funded paid leave program; and

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

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

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

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

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

7 C. the New Mexico public health association;

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

10 E. a statewide coalition that focuses on perinatal
11 issues;

12 F. an organization representing persons with
13 disabilities;

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

16 H. Native American tribal government;

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

19 J. two statewide organizations representing
20 businesses;

21 K. a statewide organization representing Hispano
22 business owners;

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

25 M. a statewide organization representing African

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1 American business owners; and

2 N. the bureau of business and economic research at
3 the university of New Mexico; and

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

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

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

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