



The Healthy Workplaces Act (HWA)

(New Mexico legislation passed April 2021 effective July 1, 2022)

For Private Employers in New Mexico.....

Paid Sick Leave for Employees Will Be Mandatory July 1, 2022

If you don't currently offer sick leave, or your leave plan allows employees to use their accrued hours for vacation OR sick leave, you will want to create a specific sick leave plan to meet HWA mandates or incorporate the HWA mandates into your current leave policy. You will also need to work with your payroll provider to make necessary changes within the software and reports.

Examples of how HWA may differ from your existing policies:

- Under the HWA all employees are eligible to accrue and use sick leave, regardless of the number of hours worked or whether they are temporary or seasonal employees.
- There is no waiting period for accrual or use of this sick leave, although employees may use only what has been accrued.
- The mandatory minimum rate of accrual of HWA leave is 1 hour per 30 hours worked, and an employee may use up to 64 hours of accrued HWA in a 12-month period.
- The permissible reasons for an employee to use HWA may differ from your existing PTO policies, as may the amount of notice required.
- How do you balance mandatory HWA obligations with existing PTO policies while continuing to provide for "vacation time"?

501(C)PA can assist you in achieving HWA compliance

501(C)PA's Human Resources Manager, Geri White, can help you develop a new HWA-compliant leave policy. Geri can also review your existing leave policies and help modify them to meet HWA requirements. If you are interested in discussing an HR services engagement with 501(C)PA, please email Geri White and Monica Stapleton, with subject line "HR Services" at:

gwhite@501cpa.org and mstapleton@501cpa.org