

MICHELLE LUJAN GRISHAM
GOVERNOR




BILL McCAMLEY
SECRETARY

HOWIE MORALES
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STATE OF NEW MEXICO
DEPARTMENT OF WORKFORCE SOLUTIONS
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MEMORANDUM

To: NMDWS Employees
From: Cabinet Secretary Bill McCamley 
Date: 3/25/2020
Re: Employer Chargeability Directive

Due to the increase in unemployment claims as a result of the COVID-19 pandemic, employers have expressed a concern about how the Department will be charging for the benefits paid out. After review of NMSA 1978 §51-1-11 and guidance from the Department of Labor under UIPL 13-20, NMDWS will not be charging employers for benefits paid out to claimants during this time.

Non-charging of employers for all qualified claims shall begin with claims filed as of March 16th or later until further notice. Nonchargeability only applies in the event that employers respond timely and adequately to all correspondence and communications from the Department. Employers that fail to timely or adequately respond remain potentially liable in accordance with NMAC 11.3.300.308(C).

Waiver of the charges for new claims related to COVID-19 separations will apply to both reimbursable and contributory employers.