

Paid parental, medical leave program passes first committee

By Megan Gleason / Assistant Business Editor | Jan 27, 2025



Rep. Patricia Roybal Caballero, D-Albuquerque, hugs Lan Sena, from Albuquerque, after a bill Roybal Caballero is co-sponsoring to create a paid family leave program in New Mexico passed the House Health and Human Services Committee on Monday. Sena has been battling blood cancer for 15 years and spoke in favor of the bill.



Brittany Poss, owner of Single Space Strategies spoke in support of a bill to create a paid family leave program in New Mexico during a House Health and Human Services Committee, Monday.

SANTA FE — The [Paid Family and Medical Leave Act](#) on Monday passed its first legislative hurdle, much to the relief — and dismay — of different parents present at its first committee hearing.

It took more than two hours of discussion and public comment in the House Health and Human Services Committee before [the bill](#) was approved on a party-line 6-4 vote, with Democrats voting in favor and Republicans in opposition.

Now, the bill has just under eight weeks to make it through the rest of the Roundhouse. [It failed last year to pass the House floor by two votes.](#)

By implementing new fees, the legislation would allow employees to take up to 12 paid weeks off for parental leave and up to nine weeks off paid for medical or military exigency purposes. It would also allow nine weeks paid time-off for instances of domestic violence, stalking, sexual assault or abuse, for the employee or an employee's family member.

Under the program, employees would pay 0.5% of their wages into the fund — \$5 for every \$1,000 — and employers with five or more employees would pay 0.4% of wages into the fund — \$4 for every \$1,000.

Employees and employers would start paying into the fund in 2027, and employees could start requesting time off using the fund in 2028.

Businesses that already offer a similar or broader paid leave program could apply for exemption waivers.

The bill, House Bill 11, heads to the House Commerce and Economic Development Committee next.

The debate

Bill sponsor Rep. Linda Serrato, D-Santa Fe, was in the past pregnant while serving in the House and had to return to work within six weeks, she said during Monday's hearing.

"That's all that my nonprofit could afford to give me, even though they wanted to do more. This is an insurance policy that allows them to do more," Serrato said.

Meanwhile, new Rep. Elaine Sena Cortez, R-Hobbs, who had a baby two years ago, said this program would be New Mexico's largest proposed tax increase ever — something committee chair Rep. Liz Thomson, D-Albuquerque, said is inflammatory language and without evidence.

"We already pay federal tax. We already pay income tax," Sena Cortez said. "Many people are struggling just to buy groceries. ... Credit card use is at an all-time high. So now we are asking New Mexicans that are already struggling to pay an additional tax; is that correct?"

The bill sponsors disagreed. The Democratic legislators didn't agree with Republicans' defining the program fees as a tax. A legislative analysis of the bill calls it a payroll tax.

In response to a question from Rep. Pamela Herndon, D-Albuquerque, bill sponsor Rep. Christine Chandler, D-Los Alamos, said the goal is to ensure a "healthy, happy, productive workforce, which also protects the employer."

"Whenever the employee is successful, the employer is successful," Herndon said. "And so what we want to do is to make sure that they are able to take care of themselves when they need to, and that they're able to take care of their families when they need to. So this is a guaranteed savings plan to help make sure that there is funds to take care of them."

A slew of parents attended the committee meeting, including Abby O'Connor, marketing director with the New Mexico Cattle Growers' Association.

As a pregnant mother with a young child at home, she said, she understands where “the hearts are of the sponsors and the supporters as well as anybody. But I also understand that, as a small business owner and a fifth-generation rancher from this state, that this will kill small businesses.”

“Who do we expect to pick cherries, milk cows and go out and harvest hard crops when our employees are out on leave?” she added.

But for mother Deborah Condit, having a paid leave program could’ve prevented her from needing to go on food stamps. Condit, owner of Albuquerque’s Books on the Bosque, said her employer of four years didn’t provide paid leave when she had her daughter.

Now, as a business owner, she faces a similar situation where she can’t afford to give her employees the paid time off she wants.

“If there’s a way for me as a small business owner to be able to provide that, sign me up,” Condit said.

Many people who spoke in opposition, including lawmakers, said they support the spirit of the bill but it’s just not economically feasible for employers, especially those in rural America, to replace workers for 9-12 weeks.

And, [many of the same businesses and trade associations that opposed the bill last year again don’t support it](#), like the New Mexico Chamber of Commerce and the New Mexico Restaurant Association. Business leaders noted the bill hasn’t changed much since its 2024 failure on the House floor.

A narrower version of the bill introduced last year by Rep. Marian Matthews, D-Albuquerque, [died in its first committee](#). It’s unclear if Matthews will introduce an alternative bill again this year.

A possible compromise?

At a breakfast at the La Fonda hotel hosted by the New Mexico Chamber of Commerce Monday morning, Senate Majority Leader Peter Wirth, D-Santa Fe, encouraged business leaders to “stay at the table.”

“We’re going to try and find a compromise,” he said. “It doesn’t mean everyone’s going to be happy, but I think that it’s important that we listen and hear the concerns and the input that you all have and try and get ourselves a place where we can move forward.”

The Governor’s Office is still evaluating the bill and doesn’t have a definitive position yet, said spokesperson Michael Coleman.

House Minority Whip Alan Martinez, R-Bernalillo, questioned the bill sponsors on how the bill would work and how it’s changed since 2019 to make it more amenable to business leaders.

In response to a question from Martinez, Department of Workforce Solutions Secretary Sarita Nair said her agency would need 219 employees to run the program and currently has a 17% vacancy rate — or 100 employees.

Though the committee hearing maintained a cordial climate, glimpses of tension appeared at different times.

Thomson didn’t pass out a non-validated survey on business responses to PFML, Martinez said, after which he asked validation for because “these numbers are important for the committee.” He said more than 80% of businesses in his district — though the survey methods aren’t clear — found issues with the proposed program.

About 15 minutes into Martinez’s line of questioning, and after repeated back-and-forth between him and Chandler about characterizations of the bill, Thomson said the lawmakers already “agreed to disagree” and asked them to move on.

The House committee members were excused from the floor session for this debate, which was expected to be lengthy. Rep. Jenifer Jones, R-Deming, questioned bill sponsors for nearly an hour, digging into the legislation page by page.