

MEMO



TO: Field and Part-Time Associates
FROM: Office Management
DATE: 06/30/2022, Revised: 1/9/2024
RE: New Mexico Accrued Paid Sick Leave

New Mexico employees will accrue sick leave at the rate of not less than one hour for every 30 hours worked, beginning at the commencement of employment or July 1, 2022, whichever is later.

Employees have no cap on the amount of paid sick leave hours they can accrue within a calendar year, (January 1 – December 31). However, Employees may not use more than 64 hours of paid sick leave per year. Accrued, but unused sick time up to 64 hours shall carry over to the following year.

Employees may use accrued sick leave for the following reasons:

- Employee's treatment or diagnosis of illness, injury, or health condition, or preventative medical care.
- Care of employee's family members for treatment or diagnosis of illness, injury, or health condition, or preventative medical care.
- Meetings related to employee's child's health or disability.
- Absence necessary because of and related to domestic abuse, sexual assault, or stalking suffered by the employee or their family member.

The employee should notify the employer in advance when use of sick leave is foreseeable and make a reasonable effort to schedule the leave so it does not disrupt business operations. When use of sick leave is not foreseeable, the employee must notify the employer as soon as practicable. A doctor's statement may be requested by the employee's supervisor if out for more than two consecutive days. Sick pay will be paid out at the employee's normal hourly pay rate.

Sick leave must be taken when an employee is scheduled and cannot be requested for time when an employee isn't normally scheduled.

Accrued but unused sick leave will not be paid upon termination.

Employees will need to fill out the attached Time Away Request form and send to Human Resources. The form may be emailed to hr@apolloretail.com or faxed to (800) 783-5540.

For more details, see the full text of the law and regulations, available at www.dws.state.nm.us.