

**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2025-**

**INTRODUCED BY:**

Councilor Amanda Chavez

**A RESOLUTION**

**UPDATING THE TERMS OF AND EXTENDING THE PILOT PROGRAM  
SUPPORTING PHYSICAL AND MENTAL WELLBEING OF CITY OF SANTA FE  
EMPLOYEES.**

**WHEREAS**, according to the Centers for Disease Control and the Kaiser Family Foundation’s “Mental Health and Substance Use State Fact Sheets” New Mexico has an age-adjusted suicide rate nearly double the average of the rest of the country, as well as higher than average rates of anxiety or depressive disorders; and

**WHEREAS**, in 2023, the City of Santa Fe (“City”) adopted Resolution 2023-17, establishing a two-year pilot program in support of physical and mental wellbeing for City employees and establishing Personnel Rules 13.91 and 13.92 (“Wellness Leave Pilot Program”); and

**WHEREAS**, Personnel Rule 13.91 allows classified full-time and part-time, exempt, and term employees one (1) day of leave as a “wellness day” each calendar year; and

**WHEREAS**, Personnel Rule 13.92 provides eligible, classified full-time, exempt, and term employees two (2) hours per week for physical and mental fitness activities (“Physical and

1 Mental Fitness Leave”); and

2       **WHEREAS**, without Governing Body action, the Wellness Leave Pilot Program will  
3 expire on June 30, 2025; and

4       **WHEREAS**, more data is needed to better understand the impact of the Wellness Leave  
5 Pilot Program for City employees; and

6       **WHEREAS**, employee surveys, including at least one before any leave is taken, and one  
7 at the end of the pilot program, could provide valuable data regarding the impact of the Wellness  
8 Leave Pilot Program; and

9       **WHEREAS**, it is reasonable and appropriate to extend the Wellness Leave Pilot Program  
10 because the health and fitness of City employees is important.

11       **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
12 **CITY OF SANTA FE** that the Wellness Leave Pilot Program is extended to June 30, 2026, for  
13 City employees, with the modifications included in Exhibit A, which require employees to agree  
14 to take up to three surveys as a condition of taking wellness leave: at the beginning, end, and during  
15 the program, if the Human Resources Department determines the third survey is helpful.

16       PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_, 2025.

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19 \_\_\_\_\_  
20 ALAN WEBBER, MAYOR

21 ATTEST:

22  
23 \_\_\_\_\_  
24 ANDRÉA SALAZAR, CITY CLERK  
25

1 APPROVED AS TO FORM:

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3 Erin McSherry  
4 Erin McSherry (Jun 5, 2025 15:08 MDT)

5 ERIN K. MCSHERRY, CITY ATTORNEY

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25 *Legislation/2025/Resolutions/ Updating the Fitness and Wellness Pilot Program*

## Exhibit A

### **RULE 13 LEAVE**

#### **Rule 13.91 Wellness Day Leave (~~Proposed Two-Three-Year~~ Pilot Program Rule).**

Classified full-time and part-time, exempt, and term employees shall be eligible each calendar year for one (1) wellness day. Employees are eligible to request Wellness Day Leave after successful completion of the employee probationary period. This category of leave is designed to be used for mental health and wellness. Such leave should be requested in advance, to the extent possible. Every effort will be made to accommodate an employee's request. Wellness Day Leave should be granted unless granting the requested leave would impair the effective and efficient operation of the department.

1. The Wellness Day Leave must be taken in eight (8) consecutive-hour increments or in increments representative of the employee's regular work schedule. For example, a part-time employee would be eligible for 4 hours of wellness leave, an employee who works a 10-hour schedule would be eligible for 10 hours of wellness leave, a firefighter that works a 24-hour schedule would be eligible for 24 hours of wellness leave each calendar year.
2. The Wellness Day Leave must be taken within the current calendar year, or it will be forfeited.
3. Upon separation of employment, employees will not be compensated for the unused Wellness Day leave.
4. The Wellness Day Leave will not be counted toward the earning of Fair Labor Standards Act (FLSA) Overtime or Compensatory Time.
5. Employees and supervisors are required to utilize standard timekeeping processes to document and track Physical and Mental Fitness Leave.

#### **Rule 13.92 Two-Hour Weekly Wellness Program: Physical and Mental Fitness Leave. (~~Proposed Three-Year~~ Temporary Rule)**

Classified full-time, exempt, and term employees may be eligible for two (2) hours per week of Physical and Mental Fitness Leave for physical and mental fitness activities. Employees are eligible for this leave after successful completion of the probationary period and required approvals. This is a category of leave designed to promote fitness and wellness.

1. The Physical and Mental Fitness Leave will not be counted toward the earning of the Fair Labor Standards Act (FLSA) Overtime or Compensatory Time.
2. Employees may request a modified work schedule by utilizing the standard request process for flexible-work arrangements, which may permit the employee to take up to two (2) hours per week of Physical and Mental Fitness Leave for physical and mental wellness purposes.

3. Physical and mental fitness activities are activities that promote physical and/or mental well-being including physical exercise (for example, bicycling, walking, jogging, yoga, weight training, swimming, tennis, volleyball, softball and racquetball), health risk appraisals, wellness screenings, fitness testing, mindfulness and meditation exercises, healthy eating classes, nutrition consultation, health behavior change coaching, and smoking cessation classes.
4. An eligible employee must request and be approved to participate in the Physical and Mental Fitness Leave through the standard flexible work arrangement process. Granting the employee request is subject to the needs of the City. If the request is approved, it may be withdrawn by the City at any time if allowing the employee to continue would not be in the best interest of the City or have a negative impact on the operations of the City. The denial or rescinding of Physical and Mental Fitness Leave is not subject to grievance procedures or appeal processes.
5. Before being approved for Physical and Mental Wellness leave employees shall agree to complete up to three surveys about their physical and mental health and wellness: —one before taking leave and one at the end of the pilot program, and one during the pilot program, if the third survey is required by the Human Resources Department.
56. Time needed for travel, taking showers, changing clothes and/or eating lunch must be considered and should be included in the modified work schedule.
67. Employees may elect to forgo a scheduled period of Physical and Mental Fitness Leave. However, missed Physical and Mental Fitness Leave is forfeited for the week and may not be made up at a different time during the week it was missed.
78. While considering and reviewing requests for participation in Physical and Mental Fitness Leave, supervisors should maintain adequate coverage to meet the business needs of the City, should not unfairly shift workloads to other staff members, and should not incur additional associated costs to the City.
89. Participants in this program are responsible for notifying their supervisor should they cease to engage on a regular basis, in the Physical and Mental Fitness Leave on the days specified on their request.
910. As a condition of participating in the Physical and Mental Fitness Leave, employees irrevocably agree to indemnify and hold the City of Santa Fe harmless from any and all liability and waive any claims, including but not limited to workers' compensation, for any and all injuries caused by or aggravated by activities completed during any Physical and Mental Fitness Leave.
1011. Employees and supervisors are required to utilize standard timekeeping processes to document and track Physical and Mental Fitness Leave.